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TO THE

# EXECUTIVE DOCUMENTS,

PRINTED BY ORDER OF THE SENATE,

FOR THE

## FIRST SESSION OF THE FORTY-FIRST CONGRESS

OF THE

## UNITED STATES OF AMERICA.

## 1869.

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IN SIX VOLUMES.

Volume 1 contains Nos. 1 to 10, inclusive, and No. 12.
Volumes 2, 3, 4, 5, 6 contain No. 11, (Alabama Claims.)

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TO

# THE EXECUTIVE DOCUMENTS

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## 1869.

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41ST CONGRESS, 1st Session. | SENATE. | Ex. Doc. No. 1.

# MESSAGE

OF THE

# PRESIDENT OF THE UNITED STATES,

RECOMMENDING

*That Alexander T. Stewart, appointed and confirmed to the office of Secretary of the Treasury, may be exempted from the operations of the eighth section of the act approved September 2, 1789.*

MARCH 6, 1869.—Read, ordered to lie on the table and be printed.

*To the Senate of the United States:*

Since the nomination and confirmation of Alexander T. Stewart to the office of Secretary of the Treasury, I find that by the eighth section of the act of Congress, approved September 2, 1789, it is provided as follows, to wit:

"*And be it further enacted*, That no person appointed to any office instituted by this act, shall, directly or indirectly, be concerned or interested in carrying on the business of trade or commerce, or be owner in whole or in part of any sea-vessel, or purchase by himself, or another in trust for him, any public lands or other public property, or be concerned in the purchase or disposal of any public securities of any State, or of the United States, or take or apply to his own use any emolument or gain for negotiating or transacting any business in the said department, other than what shall be allowed by law; and if any person shall offend against any of the prohibitions of this act, he shall be deemed guilty of a high misdemeanor, and forfeit to the United States the penalty of three thousand dollars, and shall upon conviction be removed from office, and forever thereafter incapable of holding any office under the United States: *Provided*, That if any other person than a public prosecutor shall give information of any such offence, upon which a prosecution and conviction shall be had, one-half the aforesaid penalty of three thousand dollars, when recovered, shall be for the use of the person giving such information."

In view of these provisions, and the fact that Mr. Stewart has been unanimously confirmed by the Senate, I would ask that he be exempted, by joint resolution of the two houses of Congress, from the operations of the same.

U. S. GRANT.

WASHINGTON, D. C., *March* 6, 1869.

41ST CONGRESS, 1st Session. | SENATE. | Ex. Doc. No. 2.

# MESSAGE

OF THE

# PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

*In compliance with a resolution of the Senate of the 5th instant, a list of the public and private acts and resolutions passed at the third session of the 40th Congress.*

---

MARCH 9, 1869.—Read, ordered to lie on the table and be printed.

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*To the Senate of the United States:*

I transmit to the Senate, in compliance with its resolution of the 5th instant, a report from the Secretary of State, communicating a list of the public and private acts and resolutions passed at the third session of the fortieth Congress, which have become laws either by approval or otherwise.

U. S. GRANT.

WASHINGTON, *March* 9, 1869.

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DEPARTMENT OF STATE,
*Washington, March* 9, 1869.

The Secretary of State, in compliance with a resolution of the Senate of the 5th instant, which requests him to communicate to that body "a list of the acts passed at the third session of the fortieth Congress deposited in the State Department as approved by the President of the United States, with the date of the approval of each; also the acts deposited in his department which became laws without the approval of the President," has the honor to submit the accompanying list, which includes all acts and resolutions, public and private, which were passed at the third session of the fortieth Congress and have become laws, so far as the same have been received at this department.

E. B. WASHBURNE.

The PRESIDENT.

*List of acts and resolutions which have passed and become laws at the third session of the fortieth Congress, beginning on the 7th of December, 1868, and ending on the 3d of March, 1869, both inclusive.*

PUBLIC ACTS.

No. 1. S. 186. An act providing for the sale of the lands, tenements, and water privileges belonging to the United States at and near Harper's Ferry, in the county of Jefferson, West Virginia.

Approved December 15, 1868.

No. 2. H. R. 1555. An act to amend an act entitled "An act imposing taxes on distilled spirits and tobacco and for other purposes," approved July twentieth, eighteen hundred and sixty-eight.

Approved December 22, 1868.

No. 3. H. R. 1428. An act authorizing the admission in evidence of copies of certain papers, documents, and entries.

Approved January 8, 1869.

No. 4. H. R. 1537. An act to repeal certain provisions of section six of an act entitled "An act making appropriations for the support of the army for the year ending June thirtieth, eighteen hundred and sixty-eight, and for other purposes," approved March second, eighteen hundred and sixty-seven.

Approved January 14, 1869.

No. 5. H. R. 1261. An act amendatory of an act entitled "An act relating to *habeas corpus* and regulating judicial proceedings in certain cases."

Approved January 22, 1869.

No. 6. H. R. 1558. An act to amend an act entitled "An act to prescribe the mode of obtaining evidence in cases of contested elections," approved February nineteenth, eighteen hundred and fifty-one.

Approved January 23, 1869.

No. 7. H. R. 1751. An act in relation to the appointment of midshipmen from the lately reconstructed States.

Approved January 30, 1869.

No. 8. H. R. 1596. An act making appropriations for the support of the Military Academy for the fiscal year ending June thirtieth, eighteen hundred and seventy.

Approved February 2, 1869.

No. 9. H. R. 1564. An act making appropriations for the payment of invalid and other pensions of the United States for the year ending June thirtieth, eighteen hundred and seventy.

Approved February 2, 1869.

No. 10. S. 730. An act supplementary to an act entitled "An act to confirm the titles to certain lands in the State of Nebraska."

Approved February 2, 1869.

No. 11. H. R. 1809. An act making appropriations for the payment of salaries and contingent expenses of the Patent Office for January and February, eighteen hundred and sixty-nine.

Approved February 9, 1869.

No. 12. S. 644. An act to amend an act entitled "An act to prohibit the coolie trade by American citizens in American vessels," approved February nineteen, eighteen hundred and sixty-two.

Approved February 9, 1869.

No. 13. S. 693. An act for the temporary relief of the poor and destitute people in the District of Columbia.
Endorsed by the President, "Received February 6, 1869."
Became a law, by non-return, February 18, 1869.

No. 14. H. R. 1974. An act to prevent loaning money upon United States notes.
Approved February 19, 1869.

No. 15. H. R. 264. An act to locate and establish an assay office in the Territory of Idaho.
Approved February 19, 1869.

No. 16. S. 765. An act to give an additional term of the United States circuit court for the eastern district of Arkansas.
Approved February 19, 1869.

No. 17 H. R. 1456. An act to authorize the importation of machinery, for repair only, free of duty.
Approved February 19, 1869.

No. 18. S. 667. An act to enable the Holly, Wayne and Monroe Railway Company, in the State of Michigan, to have the subscription to its capital stock duly stamped.
Approved February 19, 1869.

No. 19. H. R. 1856. An act to establish a certain post road in the State of Connecticut.
Endorsed by the President, "Received February 8, 1869."
Became a law, by non-return, February 19, 1869.

No. 20. H. R. 1861. An act to establish a certain post road in the State of Connecticut.
Endorsed by the President "Received February 8, 1869."
Became a law, by non-return, February 19, 1869.

No. 21. H. R. 1906. An act to establish the collection district of Aristook, in the State of Maine, and to more accurately define the boundaries of the district of Newark, New Jersey.
Approved February 22, 1869.

No. 22. S. 935. An act to provide for a term of the circuit and district courts of the United States for the district of Vermont.
Approved February 22, 1869.

No. 23. H. R. 1460. An act regulating the duties on imported copper and copper ores.
Passed, notwithstanding the objections of the President, by two-thirds of both houses of Congress, February 23–24, 1869.

No. 24. H. R. 1858. An act making appropriations (in part) for the expenses of the Indian department, and for fulfilling treaty stipulations.
Approved February 25, 1869.

No. 25. H. R. 1599. An act making appropriations for the naval service for the year ending June thirtieth, eighteen hundred and seventy.
Approved March 1, 1869.

No. 26. H. R. 1549. An act to restrict and regulate the franking privilege.
Approved March 1, 1869.

No. 27. H. R. 2004. An act establishing the term of office of the House of Representatives, and providing for biennial sessions of the legislative assembly of the Territory of Montana.
Approved March 1, 1869.

No. 28. H. R. 1489. An act granting a portion of the military reservation of Sault Ste. Marie, Michigan, to the American Baptist Home Mission Society.

Approved March 1, 1869.

No. 29. H. R. 273. An act to amend the act of April tenth, eighteen hundred and six, for establishing rules and articles for the government of the armies of the United States.

Approved March 1, 1869.

No 30. S. 968. An act authorizing certain banks named therein to change their names.

Approved March 1, 1869.

No. 31. H. R. 1864. An act for the repeal of tonnage duties on Spanish vessels.

Approved March 1, 1869.

No. 32. H. R. 2003. An act to authorize the county commissioners of Ada county, Idaho, to select a site for a territorial prison.

Approved March 1, 1869.

No. 33. H. R. 424. An act amendatory of an act entitled "An act for the relief of certain drafted men."

Approved March 1, 1869.

No. 34. H. R. 1812. An act to allow deputy collectors of internal revenue acting as collectors the pay of collectors, and for other purposes.

Approved March 1, 1869.

No. 35. H. R. 1672. An act making appropriations for the legislative, executive, and judicial expenses of the government for the year ending the thirtieth of June, eighteen hundred and seventy.

Approved March 3, 1869.

No. 36. H. R. 2007. An act making appropriations for sundry civil expenses of the government for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

Approved March 3, 1869.

No. 37. H. R. 1911. An act making appropriations to supply deficiencies in the appropriations for the service of the government for the fiscal year ending June thirtieth, eighteen hundred and sixty-nine, and for other purposes.

Approved March 3, 1869.

No. 38. H. R. 1803. An act making appropriations for the support of the army for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

Approved March 3, 1869.

No. 39. H. R. 1570. An act making appropriations for the consular and diplomatic expenses of the government for the year ending June thirtieth, eighteen hundred and seventy, and for other purposes.

Approved March 3, 1869.

No. 40. H. R. 1808. An act making appropriations for the service of the Post Office Department during the fiscal year ending June thirtieth, eighteen hundred and seventy.

Approved March 3, 1869.

No. 41. S. 871. An act to authorize the transfer of lands granted to the Union Pacific Railway Company, eastern division, between Denver and the point of its connection with the Union Pacific railroad to the Denver Pacific Railway and Telegraph Company, and to expedite the completion of railroads to Denver, in the Territory of Colorado.

Approved March 3, 1869.

No. 42. S. 729. An act to provide for the execution in the District of Columbia of commissions issued by the courts of the States and Territories of the United States, or of foreign nations, and for taking depositions to be used in such courts.
Approved March 3, 1869.

No. 43. H. R. 1041. An act granting the right of way to the Walla-Walla and Columbia River Railroad Company, and for other purposes.
Approved March 3, 1869.

No. 44. H. R. 1881. An act regulating the reports of national banking associations.
Approved March 3, 1869.

No. 45. H. R. 2006. An act to establish certain post roads.
Approved March 3, 1869.

No. 46. H. R. 2009. An act to authorize the Secretary of War to place at the disposal of the National Lincoln Monument Association at Springfield, Illinois, damaged and captured ordnance.
Approved March 3, 1869.

No. 47. H. R. 1279. An act in relation to additional bounties, and for other purposes.
Approved March 3, 1869.

No. 48. H. R. 1758. An act to incorporate "The Masonic Mutual Relief Association of the District of Columbia."
Approved March 3, 1869.

No. 49. H. R. 1973. An act in reference to certifying checks by national banks.
Approved March 3, 1869.

No. 50. H. R. 1327. An act to amend an act entitled "An act to exempt certain manufacturers from internal tax, and for other purposes," approved March thirty-first, eighteen hundred and sixty-eight.
Approved March 3, 1869.

No. 51. H. R. 112. An act relating to captures made by Admiral Farragut's fleet in the Mississippi river in May, (1862,) eighteen hundred and sixty-eight.
Approved March 3, 1869.

No. 52. H. R. 568. An act explanatory of the act entitled "An act declaring the title to land warrants in certain cases."
Approved March 3, 1869.

No. 53. H. R. 1804. An act to establish a bridge across the East river, between the cities of Brooklyn and New York, in the State of New York, a post road.
Approved March 3, 1869.

No. 54. S. 665. An act respecting the organization of militia in the States of North Carolina, South Carolina, Florida, Alabama, Louisiana, and Arkansas.
Approved March 3, 1869.

No. 55. S. 705. An act further to provide for giving effect to treaty stipulations between this and foreign governments for the extradition of criminals.
Approved March 3, 1869.

No. 56. S. 753. An act to provide for the execution of judgments in capital cases.
Approved March 3, 1869.

No. 57. S. 679. An act to amend an act entitled "An act granting lands to the State of Oregon to aid in the construction of a military road from Eugene City to the eastern boundary of said State."
Approved March 3, 1869.

No. 58. S. 862. An act amendatory of the act providing for the sale of the arsenal grounds at St. Louis and Liberty, Missouri, and for other purposes, approved July twenty-five, eighteen hundred and sixty-eight.
Approved March 3, 1869.

No. 59. S. 722. An act to amend an act entitled "An act to provide a national currency secured by a pledge of United States bonds, and to provide for the circulation and redemption thereof," by extending certain penalties to accessories.
Approved March 3, 1869.

No. 60. S. 711. An act relating to the Metropolitan Railroad Company.
Approved March 3, 1869.

No. 61. S. 810. An act to regulate elections in Washington and Idaho Territories.
Approved March 3, 1869.

No. 62. S. 584. An act relating to the time for finding indictments in the courts of the United States in the late rebel States.
Approved March 3, 1869.

No. 63. S. 612. An act relating to the proof of wills in the District of Columbia.
Approved March 3, 1869.

No. 64. S. 167. An act granting lands to the State of Oregon to aid in the construction of a military wagon road from the navigable waters of Coos Bay to Roseburg, in said State.
Approved March 3, 1869.

No. 65. S. 712. An act to define the fees of recorder of deeds, and to provide for the appointment of warden of the jail in the District of Columbia, and for other purposes.
Approved March 3, 1869.

## PUBLIC RESOLUTIONS.

No. 1. S. 170. A resolution in relation to the library of the Department of Agriculture.
Approved December 15, 1868.

No. 2. H. R. 375. Joint resolution donating condemned cannon for the erection of a monument to Major General Kearney.
Approved December 21, 1868.

No. 3. H. R. 388. Joint resolution explanatory of the act to create an additional land office in the State of Minnesota, approved July twenty-fifth, eighteen hundred and sixty-eight.
Approved January 14, 1869.

No. 4. S. 194. A resolution authorizing the transfer of certain appropriations heretofore made for the public printing, binding, and engraving.
Approved February 9, 1869.

No. 5. S. 175. A resolution relative to the recent contract for stationery for the Department of the Interior.
Endorsed by the President, "Received February 6, 1869." Became a law by non-return, February 18, 1869.

No. 6. S. 173. A resolution respecting the provisional governments of Virginia and Texas.

Endorsed by the President, "Received February 6, 1869."

No. 7. H. R. 372. Joint resolution directing the enforcement of the lien upon the steamer Atlantic.

Approved February 19, 1869.

No. 8. H. R. 459. Joint resolution authorizing the Secretary of War to allow to the New York and Oswego Midland Railroad Company a right of way across a portion of the public ground at Fort Ontario, Oswego, New York, for railroad purposes.

Approved February 19, 1869.

No. 9. S. 171. A resolution in relation to coast defence.

Approved February 19, 1869.

No. 10. S. 8. A resolution proposing an amendment to the Constitution of the United States.

Received at Department of State February 27, 1869.

No. 11. H. R. 458. Joint resolution gra[n]ting the consent of Congress provided for in section ten of the act incorporating the Northern Pacific Railroad Company, approved July second, eighteen hundred and sixty-four.

Approved March 1, 1869.

No. 12. H. R. 460. Joint resolution in relation to the meeting of the House of Representatives at the first session of the forty-first Congress.

Approved March 1, 1869.

No. 13. H. R. 120. Joint resolution in regard to the publication of postal conventions made with foreign countries.

Approved March 1, 1869.

No. 14. S. 231. A resolution providing for the reporting and publication of the debates in Congress.

Approved March 3, 1869.

No. 15. S. 217. A resolution for printing the medical and surgical history of the rebellion.

Approved March 3, 1869.

No. 16. S. 219. A resolution giving the assent of the United States to the construction of the Newport and Cincinnati bridge.

Approved March 3, 1869.

No. 17. S. 239. A resolution more efficiently to protect the fur seal in Alaska.

Approved March 3, 1869.

No. 18. H. R. 468. Joint resolution authorizing the Union Pacific Railway Company, eastern division, to change its name to the Kansas Pacific Railway Company.

Approved March 3, 1869.

No. 19. H. R. 438. Joint resolution relative to certain purchases by the Interior Department.

Approved March 3, 1869.

No. 20. S. 195. A resolution requiring the Commissioner of the General Land Office to transfer certain money.

Approved March 3, 1869.

No. 21. H. R. 466. Joint resolution donating condemned cannon and muskets for the McPherson monument.

Approved March 3, 1869.

No. 22. S. 238. A resolution extending the time for the completion of the first twenty miles of the Cairo and Fulton railroad.
Approved March 3, 1869.

No. 23. S. 200. A resolution reappointing Louis Agassiz a regent of the Smithonian Institution.
Approved March 3, 1869.

PRIVATE ACTS.

No. 1. S. 658. An act to relieve from disabilities Franklin J. Moses, a citizen of South Carolina.
Approved December 11, 1868.

No. 2. S. 565. An act to authorize the Secretary of State to adjust the claim of Gustavus G. Cushman for office rent while commissioner under the reciprocity treaty.
Approved December 15, 1868.

No. 3. H. R. 1556. An act to relieve certain persons of all political disabilities imposed by the fourteenth article of the amendments to the Constitution of the United States.
Approved December 22, 1868.

No. 4. S. 700. An act for the relief of Joseph Moorehead.
Approved January 6, 1869.

No. 5. S. 738. An act to relieve from disabilities John G. Stokes, a citizen of Alabama.
Approved January 8, 1869.

No. 6. S. 174. An act for the relief of Mrs. Emma Wilson, of the State of Indiana.
Approved January 14, 1869.

No. 7. H. R. 967. An act to provide for the removal of the remains of Hon. W. T. Coggeshall, late minister of the United States at Ecuador, to the United States.
Approved January 18, 1869.

No. 8. H. R. 1673. An act to relieve William H. Bagley, of Wake county, North Carolina.
Approved January 18, 1869.

No. 9. H. R. 1598. An act to relieve from disabilities R. W. Best and Samuel F. Phillips, of North Carolina.
Approved January 22, 1869.

No. 10. H. R. 833. An act for the relief of Rufus M. Hollister of Janesville, Wisconsin.
Approved January 30, 1869.

No. 11. H. R. 394. An act confirming title to Little Rock island, in the Mississippi river.
Approved January 30, 1869.

No. 12. H. R. 1158. An act for the relief of Commander John L. Davis.
Approved February 2, 1869.

No. 13. H. R. 1451. An act for the relief of John H. Osler, of Guernsey county, Ohio.
Approved February 9, 1869.

No. 14. H. R. 1343. An act to confirm the title to certain land to the Pueblo of Santa Anna, in the Territory of New Mexico.
Approved February 9, 1869.

No. 15. S. 546. An act for the relief of Jane McMurray.
Approved February 16, 1869.

No. 16. S. 499. An act granting a pension to the widow and child of Martin Whitt, deceased.
Approved February 16, 1869.

No. 17. S. 281. An act granting a pension to Anne Dycher, widow of Matthew D. Dycher.
Approved February 16, 1869.

No. 18. S. 457. An act granting a pension to Elizabeth J. Miller, widow of General John Miller.
Approved Februay 16, 1869.

No. 19. H. R. 1749. An act granting a pension to Daniel Hauser, a citizen of North Carolina, and a soldier of the war of 1812.
Approved February 19, 1869.

No. 20. H. R. 1453. An act for the relief of William Grant Powers.
Approved February 19, 1869.

No. 21. H. R. 1745. An act for the relief of the estate of Isaac Phillips, deceased, who was a private in the revolutionary war.
Approved February 19, 1869.

No. 22. H. R. 1969. An act for the relief of Nott and Company.
Approved February 22, 1869.

No. 23. H. H. 1345. An act to amend an act entitled "An act to confirm certain private land claims in the Territory of New Mexico."
Approved February 25, 1869.

No. 24. H. R. 1323. An act for the relief of Walter D. Plowden.
Approved March 1, 1869.

No. 25. H. R. 1872. An act providing for the payment of Captain Goldman Bryson's mounted company.
Approved March 1, 1869.

No. 26. S. 467. An act to confirm an entry of land by Moses F. Shinn.
Approved March 1, 1869.

No. 27. H. R. 1903. An act granting a pension to Charles Mains, of Tennessee.
Approved March 1, 1869.

No. 28. H. R. 1632. An act granting a pension to Joseph M. Hudson.
Approved March 1, 1869.

No. 29. H. R. 1434. An act granting a pension to William M. Simpson.
Approved March 1, 1869.

No. 30. H. R. 1321. An act granting a pension to Mrs. Susan Carson.
Approved March 1, 1869.

No. 31. H. R. 1586. An act granting a pension to Mrs. Naomi Adams.
Approved March 1, 1869.

No. 32. H. R. 1917. An act granting a pension to Charlotte Webster, widow of Timothy Webster, deceased.
Approved March 1, 1869.

No. 33. H. R. 1600. An act granting a pension to Mary R. Brown.
Approved March 1, 1869.

No. 34. H. R. 1918. An act to increase the pension of William H. Johnson.
Approved March 1, 1869.

No. 35. H. R. 1919. An act granting back pension to Edmund W. Wandell, of Wilkesbarre, Pennsylvania.
Approved March 1, 1869.

No. 36. H. R. 1920. An act granting a pension to Katherine Dreyer, widow of Sylvester Dreyer, deceased, late private of company H, 10th regiment of Minnesota volunteers.
Approved March 1, 1869.

No. 37. H. R. 1921. An act granting a pension to Catharine O'Conners, widow of Timothy O'Conners, deceased, late private company C, of the 33d regiment Massachusetts volunteers.
Approved March 1, 1869.

No. 38. H. R. 1923. An act granting a pension to Elizabeth Radigan, widow of John Radigan, deceased, who was a private in company A, of the 49th regiment of Pennsylvania volunteers.
Approved March 1, 1869.

No. 39. H. R. 1926. An act granting a pension to Ann Smith.
Approved March 1, 1869.

No. 40. H. R. 1922. An act granting a pension to Mary J. Hutton, widow of John C. Hutton, deceased.
Approved March 1, 1869.

No. 41. H. R. 1960. An act granting a pension to Ellen Green.
Approved March 1, 1869.

No. 42. H. R. 1959. An act granting a pension to Edward W. White.
Approved March 1, 1869.

No. 43. H. R. 1878. An act for the relief of George W. Short.
Approved March 1, 1869.

No. 44. H. R. 1954. An act granting a pension to Maria Walters.
Approved March 1, 1869.

No. 45. H. R. 1962. An act granting a pension to William McDonald.
Approved March 1, 1869.

No. 46. H. R. 1950. An act granting a pension to Richard Look.
Approved March 1, 1869.

No. 47. H. R. 1947. An act granting a pension to Catharine S. B. Spear.
Approved March 1, 1869.

No. 48. H. R. 1948. An act granting a pension to Nancy Reed.
Approved March 1, 1869.

No. 49. H. R. 1949. An act granting a pension to James H. Maguire.
Approved March 1, 1869.

No. 50. H. R. 1953. An act granting a pension to John R. Ray.
Approved March 1, 1869.

No. 51. H. R. 1951. An act granting a pension to Martha E. McKinney.
Approved March 1, 1869.

No. 52. H. R. 1932. An act granting a pension to Matilda Carney.
Approved March 1, 1869.

No. 53. H. R. 1955. An act increasing the pension of William I. Patton.
Approved March 1, 1869.

No. 54. H. R. 1956. An act granting a pension to Lorenzo Day.
Approved March 1, 1869.

No. 55. H. R. 1957. An act granting a pension to Rachel C. Floyd.
Approved March 1, 1869.

No. 56. H. R. 1958. An act granting a pension to Allen E. Rector.
Approved March 1, 1869.

No. 57. H. R. 1931. An act granting a pension to Jacob Huggins.
Approved March 1, 1869.

No. 58. H. R. 1942. An act granting a pension to Lucinda A. Wilder.
Approved March 1, 1869.

No. 59. H. R. 1943. An act granting a pension to the widow and minor children of Lieutenant Richard H. Allen.
Approved March 1, 1869.

No. 60. H. R. 1944. An act granting a pension to Bridget Hayes.
Approved March 1, 1869.

No. 61. H. R. 1945. An act granting a pension to Sarah A. Scherr.
Approved March 1, 1869.

No. 62. H. R. 1946. An act granting a pension to Mary A. Amer.
Approved March 1, 1869.

No. 63. H. R. 1938. An act granting a pension to Julia A. Fisher.
Approved March 1, 1869.

No. 64. H. R. 1937. An act granting a pension to Lucinda Pangle.
Approved March 1, 1869.

No. 65. H. R. 1936. An act granting a pension to Mary Ann Sheerlock.
Approved March 1, 1869.

No. 66. H. R. 1835. An act granting a pension to Charles H. B. King.
Approved March 1, 1869.

No. 67. H. R. 1929. An act granting a pension to Juliet E. Hall.
Approved March 1, 1869.

No. 68. H. R. 1934. An act granting a pension to Mahala M. Freeman.
Approved March 1, 1869.

No. 69. H. R. 1932. An act granting a pension to John M. Flynn.
Approved March 1, 1869.

No. 70. H. R. 1927. An act granting a pension to Harriet M. Mills, widow of Samuel J. Mills, deceased, late a private in company F, second regiment Connecticut volunteers.
Approved March 1, 1869.

No. 71. H. R. 1933. An act granting a pension to Henry Riemann.
Approved March 1, 1869.

No. 72. H. R. 1966. An act for the relief of Foster and Tower.
Approved March 1, 1869.

No. 73. H. R. 284. An act for the relief of N. A. Shuttleworth, of Harrison county, West Virginia.
Approved March 1, 1869.

No. 74. H. R. 1128. An act for the relief of Isaac Watts.
Approved March 1, 1869.

No. 75. H. R. 1280. An act for the relief of Lieutenant Leonidas Smith, late of the twenty-second regiment Indiana volunteer infantry.
Approved March 1, 1869.

No. 76. H. R. 1941. An act granting a pension to Betsey S. Jackman.
Approved March 1, 1869.

No. 77. H. R. 1868. An act for the relief of H. A. White.
Approved March 1, 1869.

No. 78. H. R. 1940. An act granting a pension to Cyrus Hall.
Approved March 1, 1869.

No. 79. H. R. 1939. An act for the relief of John Gestiger.
Approved March 1, 1869.

No. 80. H. R. 1924. An act granting a pension to John A. Parker, a soldier in the war of eighteen hundred and sixty-one.
Approved March 1, 1869.

No. 81. H. R. 1925. An act granting a pension to Clarissa K. Grant.
Approved March 1, 1869.

No. 82. H. R. 1961. An act granting a pension to Sarah A. Wilcox.
Approved March 1, 1869.

No. 83. H. R. 1971. An act granting a pension to Jacob S. Baker.
Approved March 1, 1869.

No. 84. H. R. 1963. An act granting a pension to Emily H. Gardner.
Approved March 1, 1869.

No. 85. H. R. 281. An act for the relief of Edwin B. Hoag.
Approved March 1, 1869.

No. 86. H. R. 1367. An act for the relief of George Kaiser.
Approved March 1, 1869.

No. 87. S. 844. An act for the relief of Captain Charles Hunter, United States navy.
Approved March 3, 1869.

No. 88. S. 860. An act for the relief of Wright Duryea.
Approved March 3, 1869.

No. 89. H. R. 425. An act for the relief of Mary A. Filler.
Approved March 3, 1869.

No. 90. H. R. 1867. An act for the relief of the Illinois Iron and Bolt Company.
Approved March 3, 1869.

No. 91. H. R. 1063. An act for the relief of Henry Barricklaw.
Approved March 3, 1869.

No. 92. H. R. 1879. An act for the relief of certain companies of scouts and guides organized in Alabama.
Approved March 3, 1869.

No. 93. H. R. 1344. An act to confirm certain private land claims in the Territory of New Mexico.
Approved March 3, 1869.

No. 94. H. R. 1930. An act granting a pension to Madge K. Guthrie and Robert B. Guthrie.
Approved March 3, 1869.

No. 95. H. R. 1928. An act granting a pension to Lemuel Bartholow.
Approved March 3, 1869.

No. 96. S. 661. An act for the relief of Lieutenant Colonel John W. Davidson, of the United States army.
Approved March 3, 1869.

No. 97. H. R. 1877. An act for the relief of the heirs and legal representatives of Charles C. Cook, deceased.
Approved March 3, 1869.

No. 98. H. R. 1204. An act to confirm certain private land claims in the State of Missouri.
Approved March 3, 1869.

No. 99. H. R. 596. An act granting a pension to Mary A. Davis, widow of William P. Davis, a private of the eighteenth regiment of Indiana volunteers, in the war of 1861.
Approved March 3, 1869.

No. 100. H. R. 1989. An act for the relief of Peter McGough, collector of internal revenue and disbursing agent, 20th district, Pennsylvania.
Approved March 3, 1869.

No. 101. S. 942. An act granting a pension to Sarah E. Haines.
Approved March 3, 1869.

No. 102. S. 903. An act granting a pension to Horace Peck, of Charlton Massachusetts.
Approved March 3, 1869.

No. 103. S. 904. An act granting a pension to Benjamin T. Raines, of Indiana.
Approved March 3, 1869.

No. 104. S. 906. An act granting a pension to Elizabeth Clarke.
Approved March 3, 1869.

No. 105. S. 910. An act granting a pension to the children of Martin N. Slocum, deceased.
Approved March 3, 1869.

No. 106. S. 941. An act granting a pension to Benjamin C. Stone.
Approved March 3, 1869.

No. 107. S. 949. An act granting a pension to Mrs. Lydia W. Ford.
Approved March 3, 1869.

No. 108. S. 264. An act for the relief of Henry C. Noyes.
Approved March 3, 1869.

No. 109. S. 760. An act for the relief of Rev. D. Hillhouse Buel.
Approved March 3, 1869.

No. 110. S. 481. An act for the relief of Alpheus C. Gallahue.
Approved March 3, 1869.

No. 111. S. 836. An act for the relief of Celestia P. Hartt.
Approved March 3, 1869.

No. 112. S. 891. An act for the relief of George Fowler and the estate of De Grasse Fowler, deceased, or their assigns.
Approved March 3, 1869.

No. 113. S. 896. An act confirming certain purchases of lands in the Ionia district, Michigan, made by Charles H. Rodd and Andrew I. Campeau.
Approved March 3, 1869.

PRIVATE RESOLUTIONS.

No. 1. H. R. 219. Joint resolution for the relief of George W. Lane, superintendent of the branch mint at Denver, Colorado, and assistant treasurer of the United States.
Approved February 4, 1869.

No. 2. S. 206. A resolution relating to the mileage of Charles Westmoreland.
Approved February 9, 1869.

No. 3. H. R. 452. Joint resolution for the relief of Leonard Pierce, junior, late United States consul at Matamoras.
Approved February 19, 1869.

No. 4. H. R. 407. Joint resolution for the relief of Frederick Schley.
Approved February 25, 1869.

No. 5. H. R. 265. Joint resolution for the relief of Edward E. Shead, of Eastport, State of Maine.
Approved March 1, 1869.

No. 6. H. R. 211. Joint resolution for the relief of Henry S. Gibbons, Luther McNeal, and Seth M. Gates.
Approved March 3, 1869.

No. 7. H. R. 280. Joint resolution for the relief of Mrs. Ella E. Hobart.
Approved March 3, 1869.

No. 8. H. R. 327. Joint resolution authorizing the Secretary of the Treasury to remit the duty on certain meridian circles.
Approved March 3, 1869.

41ST CONGRESS, 1st Session. | SENATE. | EX. DOC. No. 3.

# MESSAGE

OF THE

# PRESIDENT OF THE UNITED STATES,

WITHDRAWING

*His message of the 6th instant, requesting the passage of a joint resolution to relieve the Secretary of the Treasury from the disabilities imposed by section 8 of the act approved September 2, 1789.*

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MARCH 9, 1869.—Read, ordered to lie on the table and be printed.

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*To the Senate of the United States:*

I have the honor to request to be permitted to withdraw from the Senate of the United States my message of the 6th instant, requesting the passage of a joint resolution of the two houses of Congress to relieve the Secretary of the Treasury from the disabilities imposed by section 8 of the act of Congress approved September 2, 1789.

U. S. GRANT.

WASHINGTON, D. C., *March* 9, 1869.

41ST CONGRESS, 1st Session. | SENATE. | Ex. Doc No. 4.

# MESSAGE

OF THE

# PRESIDENT OF THE UNITED STATES,

COMMUNICATING

*A copy of a report of the government board of directors of the Union Pacific railroad relative to the election of directors for the ensuing year.*

MARCH 16, 1869.—Read, referred to the Committee on the Pacific Railroad and ordered to be printed.

*To the Senate of the United States:*

I invite the attention of Congress to the accompanying communication of this date, which I have received from the Secretary of the Interior.

U. S. GRANT.

WASHINGTON, *March* 15, 1869.

*To the Hon. Secretary of the Interior:*

Under the act of Congress approved July 2, 1864, it is made the duty of the government directors of the Union Pacific railroad "at any time to report to the Secretary of the Interior such information as should be in possession of the department."

According to the provisions of this act, it becomes our duty now to report the following facts:

March 10, 1869, in obedience to the act of Congress December 27, 1867, the stockholders of the Union Pacific railroad met in the city of New York and proceeded to the election of directors for the ensuing year, when an injunction was served by Judge Barnard, of the supreme court of the city of New York, upon the officers of the company, some of its directors, some of its stockholders, and certain of the government directors, restraining them from and prohibiting an election of any officer or directors upon the day designated by the federal law of December 20, 1867, for the ensuing year. The whole number of votes thrown we have ascertained to be 207,430 shares, of which 205,840 were given for the gentlemen whose names are hereto annexed, and no other votes could have been given that would change the result.

Under these injunctions, attachments, (some of them not bailable,) and threats of imprisonment, if disobeyed, the inspectors of the election were advised not to declare the result, though believing themselves authorized so to do by the federal law, and hence the new board thus elected, remains in abeyance, under injunctions and attachments, which may endure for a year or more, and thereby make the company and stockholders expense on litigation, and thus endanger and obstruct the progress of the road.

Fearful of these results, we as government directors, have felt it our duty to make an early report of these facts to the secretary, with the view of his calling attention thereto of the President and of Congress, in order that such legislation may be had as may be deemed necessary to protect the interests of the United States, and to keep on uninterrupted this great national work.

JAMES BROOKS, of New York,
J. L. WILLIAMS, of Indiana,
D. L. HARRIS, of Springfield, Mass.,
J. D. WEBSTER, of Illinois,
H. PRICE, of Iowa,
*Government Directors.*

NEW YORK CITY, *March* 11, 1869.

*Directors.*

Oliver Ames, Massachusetts.
Thomas C. Durant, New York.
John J. Cisco, New York.
Sidney Dillon, New York.
Cornelius S. Bushnell, Connecticut.
Benjamin E. Bates, Massachusetts.
Cyrus H. McCormick, New York.
John Duff, Massachusetts.
Josiah Bardwell, Massachusetts.
John B. Alley, Massachusetts.
F. Gordon Dexter, Massachusetts.
Chas. A. Lambard, Massachusetts.
Wm. H. Macy, New York.
G. M. Dodge, Iowa.
John F. Tracy, Illinois.

41ST CONGRESS, 1st Session. } SENATE. { Ex. DOC. No. 5.

# MESSAGE

OF THE

# PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

*In compliance with a resolution of the Senate of the 11th instant, information whether the government of Venezuela has paid the first instalment due to American citizens under the award recently made by the mixed commission of the two governments.*

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MARCH 17, 1869.—Read, referred to the Committee on Foreign Relations and ordered to be printed.

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*To the Senate of the United States:*

In compliance with the resolution of the Senate of the 11th instant, asking if the first instalment due from the government of Venezuela, pursuant to the convention of April 25, 1866, has been paid, I transmit a report from the Secretary of State, to whom the resolution was referred.

U. S. GRANT.

WASHINGTON, *March* 16, 1869.

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DEPARTMENT OF STATE,
*Washington, March* 15, 1869.

The Secretary of State, to whom was referred the resolution of the Senate of the 11th instant, requesting the President to inform the Senate, if compatible with the public interest, whether the government of Venezuela has paid the first instalment due to American citizens under the award recently made by the mixed commission of the two governments, has the honor to report that no intelligence of any such payment has been received at this department.

A correspondence has taken place with the representative of Venezuela accredited to this government in regard to the proceedings of that commission, a copy of which is hereunto annexed.

Respectfully submitted.

E. B. WASHBURNE.

The PRESIDENT.

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*List of papers accompanying the report of the Secretary of State to the President, March* 15, 1869.

Memorandum of a conversation between Mr. Muñoz y Castro and Mr. Seward, February 8, 1869.

Mr. Muñoz y Castro to Mr. Seward, February 12, 1869.

Mr. Seward to Mr. Muñoz y Castro, March 3, 1869.

Mr. Muñoz y Castro to Mr. Washburne, March 12, 1869.

Mr. Washburne to Mr. Muñoz y Castro, March 16, 1869.

*Memorandum of a conversation between Mr. Muñoz y Castro and Mr. Seward.*

DEPARTMENT OF STATE,
*Washington, February* 8, 1869.

Mr. Manuel Muñoz y Castro was received by the Secretary of State at the department this morning and presented a letter from the minister of foreign affairs of Venezuela, accrediting Mr. Castro as chargé d'affaires of the republic of Venezuela. Mr. Castro said that he had expressly in charge to cultivate and improve the good relations existing between the two countries. This was the most pleasant part of his duty. Mr. Castro proceeded immediately to say that he regretted, at the same time, that it was made his duty to present the views of his government concerning the conduct of the late claims convention which had committed irregularities so gross that they annulled their awards.

The Secretary of State said, in reply, that at this stage of the matter he could not consent to hear remarks of that kind. Mr. Castro had neither assigned nor mentioned any special error or irregularity, while he alleged that the convention was already annulled by the irregularities which had occurred; that as it takes two parties to make a convention, it equally requires the consent of both parties to abrogate it.

Mr. Castro stated that he expected to furnish the proofs, and he trusted that he should be able to convince the United States government that the proceedings of the convention were illegal, and ought to be set aside.

The Secretary of State said that he would receive and give attention to any proposition which the Venezuelan government might have to make, but candor obliged him to inform Mr. Castro that this government could indulge no presumption in favor of the complaint which he proposed to make; that the convention had concluded its proceedings, made its awards, and the day is at hand when the first instalment of the sums awarded would be due. The Venezuelan government, instead of making provision for that payment, has, in the first place, submitted through the United States legation at Caracas financial propositions which would defer and postpone the payment of those debts liquidated and awarded by the convention in favor of unliquidated and unestablished debts due to the subjects of another nation. In the second place, at this late day the Venezuelan government came with a proposition to set all proceedings of the convention aside. The Secretary observed that, under these circumstances, he must insist that the complaint of the Venezuelan government should be submitted promptly if it was expected to be examined.

Mr. Castro replied that he expected to submit the formal complaint in a very few days, and in the mean time he had to ask of the justice of the United States that all proceedings on the part of the United States for collecting the awards would be suspended.

The Secretary replied that he could make no engagement of that kind; that in the absence of all knowledge of any error or irregularity in the proceedings of the convention, he could not assume a case which impeached not only the integrity and honesty of the Venezuelan commissioner, but also the integrity and honesty of the commissioner of the United States.

Mr. Castro remarked that the Venezuelan government entertained a high regard and respect for the United States, and placed entire reliance on their sense of justice.

The Secretary replied that if Venezuela entertained any other feelings, that government must be very unreasonable, for the utmost indulgence and forbearance had been practiced by this government in regard to

the claims of its citizens upon Venezuela. The government had constantly refused to allow them to be prosecuted while Venezuela was occupied with two successive revolutions. The Secretary added that if mutual confidence is to be maintained between states there must be some fidelity to international engagements, some punctuality in performing international obligations.

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*Mr. Muñoz y Castro to Mr. Seward.*

LEGATION OF VENEZUELA, EBBITT HOUSE,
*Washington, February* 12, 1869.

Mr. SECRETARY: As I had the honor to inform you verbally at the time of presenting the letter of the secretary of foreign affairs for Venezuela, accrediting me as the representative of that republic near this government, I hold instructions from my government making it my urgent duty to present to your consideration certain acts of the mixed commission, sitting at Caracas for the purpose of hearing justly and deciding impartially the claims of American citizens against the government of Venezuela, which acts, contrary to the expectation of both nations, have seriously injured Venezuela, by an evident violation of right and insult to justice.

As it is the desire of my government, in accordance with your suggestion, that this communication be carried into prompt effect, I will not dwell upon all the acts of the American commissioner that have given just cause of complaint to the United States of Venezuela, many of which are incompatible with the character of judge; but as I wish to show the reasons for this proceeding on the part of Venezuela, I am compelled to say much about the awards of the commission.

To be brief, I will mention Mr. Talmage's attempt to impose an umpire on the commission by proposing a certain person, and declaring he would accept no other; his opposition to the proposal of the Venezuelan commissioner to select a member of the diplomatic corps, because the convention did not allow it, as he said, when he proposed the representative of Brazil; the unusual regulations for the proceedings of the commission, such as fixing a certain time for the decision of every claim under consideration, no matter how complicated, and prohibiting the commissioners from taking the papers to their houses to examine them; and the singular rule that after award was made, whether by the commissioners or umpire, as many certificates of fractional sums as each claimant desired should be issued, which the Venezuelan commissioner vainly opposed, because it was presuming to say what was best for the claimants, implied collusion with them, and was detrimental to the honor and probity of the commission. I will also say that the American commissioner, Mr. Talmage, although judge, did not hesitate to attest a document, in which lawyer Palenzuela and Mr. Murray, secretary of the American legation, agreed to divide the fees, salaries, and certificates that might fall to their share, by certain contracts, for attending to the business before the commission, for certain parties mentioned; and he openly declared himself the representative of the party in whose favor he had decided as judge, and claimed the certificates issued to the heirs of Jacob Idler, Seth Driggs, Clemencia de Willett, and Ralph Rawdon.

No person can be an impartial judge who is interested with the claimants, as Mr. Talmage has here shown himself; in no case did he object to the largest claims, and often said they were too small. I could say

much to invalidate the decisions of the American commissioner, but I must first say something about the umpire, without whose aid his efforts would have been futile.

As Mr. Talmage insisted upon an umpire of his choice, the selection had to be made by a member of the diplomatic corps at Washington, and he was deceived by having Mr. Machado suggested to him as a fit and proper person for that delicate duty, though he had no education and possessed no business qualifications. There is some mystery in his elevation from obscurity to decide between two nations. Perhaps this may be explained by the fact that Mr. Machado was in partnership with Mr. Talmage at Caracas, in the contract for lighting that city by gas, and was his business agent there when Mr. Talmage came to Washington.

Such was the way in which the court of arbitration was composed, and we must now consider its decisions.

I will now call the particular attention of the government of the United States to the manifest injustice of many of the decisions of which the government of Venezuela complains, with the hope that they will be set aside.

Without giving a list of all those which were not concurred in by the Venzuelan commissioner, I will proceed to explain a few as follows:

1. The case of Jacob Idler is prominent from the greatness of the claim awarded. It was of Colombian origin, and of course ought to be shared equally by Venezuela, New Granada, and Ecuador, once constituting the Republic of Colombia; yet the American commissioner condemned Venezuela to pay the whole amount he was pleased to award. The interest of this claim was greater than the principal; the question was a mere liquidation of the claim. Instead of examining it, the American commissioner finds a decision of the Supreme Court, allowing Idler certain sums, and adopts the decision as his own, although the same court had set aside the decision. But the decision suited the commissioner, and he adopted it without examination. Then the umpire comes to his assistance, and despite his oath to *examine scrupulously* and decide impartially, justly, &c., he relies on the *probability* of discovering errors in the former proceedings, and does not take the trouble to look into the accounts which it was his duty to examine. Thus saving trouble, without regard to the injury of either country, and in disregard to the decision of the plenary commission of the three republics into which Colombia split, and against the decision of the State council, which declared Idler to be the *debtor* and not the *creditor* of the State, as he wrongfully collected sums that had been already paid, the umpire divests himself of his title and confirms the award of a quarter of a million of dollars to the heirs of the pretended creditor Idler. Two friendly republics certainly did not appoint a commission to act in this manner in deciding such momentous questions.

2. No less a deviation from justice is perceived in the award made by the commissioner and umpire in favor of the widow and heirs of Captain Clark. This case is also of Colombian origin, and was justly condemned by the United States commissioner of claims against Ecuador, who considered Clark as a pirate who deserved exemplary punishment, and refused to encourage criminals, which act was very commendable in that commissioner.

But what would be thought of the justice and impartiality of this great republic if it sanctioned a crime in Venezuela that was not protected in Ecuador? This idea did not disturb the even mind of Commissioner Talmage, nor his obedient umpire, when they decided in favor of a claim that had already been paid, principal and interest, by error of a

congress, to the attorney of the widow and heirs of Clark. They did not consider that Venezuela was not to blame for the attorney's treachery, nor that the responsibility (in case there was any) should fall equally upon the three republics into which Colombia was divided. Rejecting all considerations of justice they give the claimants one hundred and two thousand dollars out of the Venezuela treasury.

3. Equally enormous is the so-called indemnity to Nobles, Beales, and Garrison for imaginary damages resulting from the rescision of a contract made with the dictatorial but *de facto* government of Caracas in 1862 and 1863. From the beginning to the end of this case the Venezuelan commissioner protested against the competency of the commission, repeating what Mr. Culver said to the minister of foreign relations, namely, that the government of the United States did not recognize the dictatorial government, and refused to ratify Mr. Culver's recognition of it, and as it did not represent Venezuela its acts were not valid. It is to be observed that there is a clause in each contract stating that no claims shall be international. Besides this it was not necessary for Venezuela to annul those contracts, for they were null from illegality of the objects, and if the contractors suffered any damage, of which there is no proof, it was due to their rash speculations in an illegal business. This case is analogous to the contracts made by European sympathizers or speculators with the *de facto* southern confederation in this country. Their losses may be great, but their attempt to fix the responsibility on the government of the United States was not successful.

No one can believe that the government of the United States would pay any such indemnity, even if the commission about to be established to settle claims between the United States and Great Britain were to make awards.

Now, justice is the same in all nations, and the American commissioner in Caracas, with this example in view, ought to understand that the United States should not require of a friendly nation what they are not disposed to concede to any nation.

The decision of the commission in this case is based solely upon the common idea that a contract is annulled only by the joint consent of both parties; but the absurdity of this is so apparent that I will say no more about it.

It would be very easy to point out the injustice of the other decisions of the commissioner, but what I have said I hope will suffice for the present.

I have mentioned that the American commissioner was interested with many of the claimants; have told of his intimacy and his private business with the umpire; and I have demonstrated the injustice of many decisions, and suggested the presumption that the others are equally so.

It is very unpleasant to me to have to make these grievous allegations in the name of my government; but I have said just so much in complaint of the conduct of Mr. Talmage as I was obliged to say, omitting many facts that transpired in the correspondence with my government, only to shorten this communication.

I am aware of the unfavorable impression the request to annul decisions supposed to be final will have upon the government of the United States, particularly when it is the ardent desire of both nations to have the differences settled; but it is the duty of my government to defend itself against all injustice; and it is conscious that it is now applying to a government that is imbued with the principles of rectitude, and will not tolerate the injury that one of its officials has done, or attempted to do, to a friendly nation; and, so long as the harm is not consummated,

will listen to the voice of truth, claiming only due satisfaction, which is very easy to grant.

Trusting then that the government of the United States will not hesitate to do us justice, I ask in the name of my government that the awards granted by Commissioner Talmage and Mr. Machado, his umpire, be annulled, and that the cases be submitted to the consideration of a new commission.

Of the twenty-four claims awarded I think only seven will require revision by the new commission, the rest remaining decided definitely.

The undersigned takes the occasion to repeat to the Honorable Mr. Seward the desire of Venezuela to see these States prosper, and affirms anew the sentiments of his distinguished consideration.

MANUEL MUÑOZ Y CASTRO.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

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*Mr. Seward to Mr. Muñoz y Castro.*

DEPARTMENT OF STATE,
*Washington, March* 3, 1869.

SIR: I have the honor to acknowledge the receipt of your letter of February 12, 1869, in which you ask, in the name of your government, that the awards granted by Commissioner Talmage and Mr. Machado, whom you are pleased to designate as his umpire in the commission lately sitting at Caracas under the convention of April 25, 1866, be annulled, and that the cases be submitted to the consideration of a new convention.

The proposition thus made has been considered with the care and deliberation which its importance and its novelty require.

It may serve to abridge the discussion of the specific allegations which you present as the grounds upon which this government is asked to disregard the decisions of the tribunal to which it and the government of Venezuela have submitted the question at issue between them, growing out of private claims, if I invite your attention to an early exemplification of the light in which this government has regarded the character and office of such tribunals, and the relations to them of the governments by whom they are instituted. On the 29th day of April, 1823, my predecessor, John Quincy Adams, replying to a protest from the minister of his Catholic Majesty against an anticipated decision of such a commission, used this language:

I am directed to say in answer, that the government of the United States have no more than the government of Spain the right or authority to dictate or control the decisions of the commissioners appointed by the treaty of February 22, 1819; and that as the United States will not assume themselves, so they will not suffer from Spain, the exercise of any such dictation or control, alike repugnant to the principles of impartial justice and to that judicial independence which constitutes the excellence and the glory of the institutions both of this country and of Spain.

The reasons which forbid either government from interposing its influence to affect the deliberations of such a commission are equally if not more imperative in denying the right of both to bring under review awards definitively made and promulgated. The Supreme Court of the United States, when examining the effect of a finding by the commissioners under the treaty just referred to, declares:

The object of the treaty was to invest the commissioners with full power and authority to receive, examine, and decide upon the amount and validity of the asserted claims upon Spain for damages and injuries. Their decision within the scope of this authority is conclusive

and final. If they pronounce the claim valid or invalid, if they ascertain the amount, their award in the premises is not re-examinable; the parties must abide by it as the decree of a competent court of exclusive jurisdiction. A rejected claim cannot be brought again under review in any judicial tribunal. An amount once fixed is a final ascertainment of the damages or injury.

At a later and quite recent date the Court of Claims, discussing the effect of a decision made by the same commission above-mentioned, and after quoting the authority above cited, with others, remark:

These precedents are so full and pointed that in our judgment they authoritatively rule the case. However erroneous the decision, upon whatever mistakes of fact or law it was based, whatever hardship or injustice it inflicts, give us no right and confer no power to reopen and re-examine the question. In our opinion, it is like any other matter that has been finally judicially decided by a competent court. It closes the controversy, and however injured or dissatisfied any party may be, there can be no redress in any other tribunal.

These citations are made for the purpose of rendering it evident to the government of Venezuela that the position of the United States in respect to the conclusive obligation of such awards as it now seeks to bring in question, is one long since assumed and steadily maintained by their executive and judicial departments without claiming that as against your government they are entitled to any greater force than belongs to the reasoning upon which they are founded.

International tribunals for the adjudication of private claims are created by governments in no expectation that they are to escape that possible admixture of error which is inseparable from all human institutions. They are resorted to because the governments concerned have either actually experienced, or have been forced to anticipate, the impracticability of their coming to an agreement upon the merits of such claims, and upon the methods of investigating them. However imperfect the expedient may prove, it is adopted in view of the dread alternative in comparison with which a partial failure to accomplish exact justice falls into insignificance. First among the great powers to introduce this beneficent mode of achieving the peaceful termination of international controversies, it is not for the United States to do or suffer aught that can impair its efficacy. The deliberations and judgment of a commission would be fruitless, if they only started questions for renewed discussion. They must be final or they must be nothing. We are compelled, therefore, to decline any examination of the correctness of the decisions upon the merits of the several cases decided by the Caracas commission, whether arrived at by the concurrence of the commissioners or by the award of the umpire, himself a citizen of Venezuela, to whom the convention in case of their disagreement committed the final adjudication of the case. We must for the same reasons decline to examine the expediency of the rules of procedure by which the commission thought proper to govern its investigations, and the assignment of evidence of its awards to the persons interested therein. All such persons may claim with show of reason, which it is difficult to refute, that they have a vested interest in the awards, indefeasible by the action of either or both the governments which surrendered to a common arbiter, without reserve, their entire jurisdiction in the premises.

Having thus eliminated from the discussion the errors which you allege in the decision of the commission, we are brought to those which relate to its personal constitution. The first of these is in effect that Mr. Talmage improperly and without reason refused to agree with his co-commissioner on the part of Venezuela in the nomination of an umpire. To this it is a sufficient answer that the convention anticipated that precise exigency, and provided the remedy by giving the selection to the diplomatic representative either of Switzerland or Russia in Washington. The second objection indirectly and argumentatively sug-

gested is, that Mr. Talmage succeeded in imposing upon the diplomatic representative, by whom the selection was made, a person unfit and improper for the delicate duties of umpire, through defect of education and such personal relations with Mr. Talmage as should impair confidence in his independence and impartiality. To this we are obliged to reply that the selection of umpire was made by Baron Stœckl, the ambassador of Russia at this capital, upon the invitation of both the high contracting parties to the convention, and that we are not at liberty to inquire what considerations influenced his choice.

The third and most serious objection suggested by your letter to the competency of Mr. Talmage is that "he did not hesitate to present himself in a character altogether incompatible with that of a judge who had decided in favor of the same parties, claiming from the commission, as their agent, the certificates issued to the heirs of Jacob Idler, to Seth Driggs, Clemencia de Willett, and Ralph Rawdon."

I understand your allegation to be only that Mr. Talmage, after having given opinions in favor of the claimants named, presented himself as their agent to receive the certificates of awards in their behalf, which in the cases named were made by the umpire. I do not understand you to aver distinctly that Mr. Talmage had at any time a pecuniary interest in the claims upon which he pronounced a favorable opinion. If, however, such is to be taken as the import of your language, I do not understand it to be averred that he had acquired or contemplated the acquisition of such interest at the time when he expressed his judgment upon the claims. You present no other evidence in support of the charge than the fact that he received the certificates as the agent of the successful claimants. This evidence, however, is inconclusive and unsatisfactory upon two grounds: 1. That Mr. Talmage should become the custodian of certificates by no means proves that he had any personal interest in the fund which those certificates furnished the means of reaching. You have adverted to the circumstance that the amount of the awards was in some instances to be divided between the claimants and their attorneys. It was quite natural that parties interested in the division and apportionment of an award should desire that the certificates should pass into the custody of a third person rather than into that of either of the interested parties. It was equally natural that the position and character of the commissioner should recommend him as a just and impartial trustee to guard the rights of both. 2. If it were conceded that the receipt of the certificates by Mr. Talmage is satisfactory evidence of his pecuniary interest at the time of such reception, it does not follow that he had acquired or contemplated acquiring such interest at the time when he sat in judgment upon the claim. It might be imprudent in a judge who had faithfully and impartially discharged his duty in rendering an award, and had thus ceased to have any judicial relation to it, if he afterwards allowed himself to become pecuniarly interested in its payment; because it might expose him to the suspicion of having had that interest in view while exercising his judicial function. Such imprudence, however, falls far short of criminality, and in the case supposed would not impeach the competence of the judge or detract from the conclusiveness of his decision.

As we are bound in construing evidence to make every allowable presumption in favor of the integrity of a judicial officer, so in construing a charge against him we are not at liberty to infer that its meaning is wider than its language strictly imports.

It is not necessary for this government to deny that no man can be a judge in his own cause, or in one in which he has the minutest interest.

We might admit that if it were capable of proof that Mr. Talmage was thus interested in any claim at the time he assumed to sit in judgment upon it, the fact would show such personal disqualification that in respect to such claim his action might be regarded as would be that of a stranger who, without color of authority, usurped the functions of commissioner. In such a case we might agree that the governments concerned would be at liberty to treat the awards made by his aid as absolute nullities, and to submit the cases to the consideration of a new commission. Before, however, this government could reach that conclusion, it would esteem itself bound to afford the opportunity to Mr. Talmage to defend his character, and to the claimants in whose favor the awards were made, that of supporting their conclusiveness and indefeasible obligation by such proof and arguments as they might be able to present.

The charge indirectly suggested by your letter has not been regarded as sufficiently explicit to justify this government in calling upon Mr. Talmage for any explanation or defence of his conduct. We see no adequate reason to warrant us in consenting that the claims upon which awards have been made by the umpire should be again brought in question. We must continue to regard them as standing upon the same footing as the awards made by the commissioners, to which the government of Venezuela takes no exception, and to expect from that government in regard to all alike a faithful performance of the obligations which were assumed in the most solemn form by the convention of April 25, 1866. By the terms of that instrument a liberal extension was given to the period for the payment of the awards in consideration of the financial difficulties in which Venezuela had been involved in consequence of unfortunate internal dissensions. An instalment of the indemnity awarded by the commission has already become due to this government, and it has been pressed by the claimants to insist with urgency upon prompt payment. It has forborne to do so until it should have maturely considered the objections taken by the government of Venezuela to the proceedings of the commission. That reason for delay having now ceased, this government can no longer defer a compliance with the just demands of its citizens.

WILLIAM H. SEWARD.

Señor MANUEL MUÑOZ Y CASTRO, *&c., &c., Ebbitt House.*

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No. 2.

*Mr. Muñoz y Castro to Mr. Washburne.*

[Translation.]

WASHINGTON, *March* 12, 1869.

YOUR EXCELLENCY: I had the honor to receive the letter of your honorable predecessor of the 3d of the present month, in reply to mine of the 12th February, previous. In it is made, with the support of sundry quotations, a declaration of what the government of the United States regards to be the nature and duty of tribunals of arbitration, and of their relation with the governments which institute them, coming to the conclusion that the decisions of such tribunals are definitive, or else amount to nothing. As a consequence of this absolute proposition, it follows that the government of the United States finds itself obliged not to enter into an examination of the righteousness of the sentence of the mixed commission which was established at Caracas; and as for defects

in the personal constitution of the commission, and the short comings alleged in my note of the 12th of February, they are met by disculpation resting mainly on the principle that the mind always rather inclines to a favorable than to an adverse judgment, and looking at the question from this point of view, the honorable predecessor of your excellency ends his letter by stating that he sees no reasons which justify the government of the United States in consenting to a revision of the decrees of the arbitrators solicted by me in the name of the government of Venezuela. In the context of the letter from your department, about which I am now taking note, I think I discover that notwithstanding all my efforts I had not the fortune to attain the end which I proposed to myself in my letter of the 12th of February, by making clear to the government of the United States the mistakes which, in the appreciation of my government, make null and of no effect the decisions of Mr. Talmage and Mr. Machado.

The principles which are developed in the letter from the department, about the nature of judgment by arbitration, are not the object of discussion; as a beneficial means of arriving at a peaceful termination of international controversies. Venezuela has not only applauded the efforts of the United States to implant it in the law of nations, but herself commends it in her fundamental law, and Venezuela not being herself a maritime and military power, which might rely upon its ability to seize at all events by force what it might not obtain by the power of reason, less still than the United States would she incline to anything that might bring into discredit the efficiency of arbitration. But let me be allowed to remark at this point, that the efficiency of this beneficent institution will be so much more worthy of trust and reliance in proportion to the zeal and care which nations may take in maintaining its purity, by not tolorating the abuses and vices which through unscrupulous and bad men might occur to convert it into a fearful weapon of rapine and injustice.

If whatever of evil there might be shut up in a judgment by arbitration, there should be no remedy but to shut ones eyes, and submit to the sentence, without examining the motives and the circumstances which produced it, an arbitration could scarcely be looked upon as a progress in the intercourse and traffic between nations; nor in many cases would their differences be less dreadful than the clashings of actual war. But by good fortune this does not pass beyond supposition, which although it seems as if derived from the absolute proposition of Mr. Seward that the finding must be definitive or amount to nothing; and the consequences which he declares therefrom with application to the case in controversy is, further on, controverted by Mr. Seward himself, as it indubitably is by universal reason.

It is admitted in the letter to which I reply that participation of the judge in the sums awarded by himself to the claimants would suffice to make such sentence null and void, and so the government of Venezuela believes; but it also believes that there is no reason to determine that such should be the only ground which might give a cause for the reversal of a sentence, because a violation of the oath taken by the judge is no less criminal, nor the fact of dictating a sentence without more to sustain it than documents which bear upon their face the stamp of deception and falsehood. I do not think it necessary here to repeat all that I stated in my letter of the 12th of February, about the fault which stains the arbitral sentence of the Caracas commission, but I cannot do less than call the attention of the present Secretary of State to the contents of that letter, about which perhaps he may form a judgment differing from that of the honorable Mr. Seward. I do not know whether, in the necessity

of speaking in measured and decorous terms in regard of vice and corruption, my language was inefficient to express the conviction of the government of Venezuela of the criminality of the arbitral sentences of which she complains as being deeply injurious, it so happening that the honorable Mr. Seward deemed that his government is obliged not to enter upon an examination of them.

I showed in my letter here referred to the constant endeavor of Mr. Talmage that the arbitrament should be exclusively his work; and that whatever the measures employed to attain this end, or little as Venezuela pretended to investigate them, the fact remains clear that an agent employed in the business affairs of Mr. Talmage, with whom he lived on terms of extreme familiarity, and who was deficient in every element of fitness for so delicate a matter, was appointed arbiter. I do not see in any sentence of my letter the assertion of the honorable Mr. Seward, that I had designated Mr. Machado "as the arbiter for Mr. Talmage," justified; but now that in passing mention must be made of this erroneous impression, I will not hesitate to state that in no other manner was the arbiter designated by public opinion. I showed that with the support of the arbiter Mr. Talmage dictated to the commission rules which made it impossible in complicated cases to give to the examination time materially needful—clear proof of the indifference with which that indispensable requisite for the correct administration of justice was looked upon. I showed that Mr. Talmage collected with zeal all reclamations; always inclined to concede everything, although in some cases what he claimed might appear small; and that the initiation for repelling even the most monstrous reclamations never was made by him; and it may be added that such was his zeal to empty the treasury of Venezuela that, usurping powers which the international convention never gave to him, he gave support and favorable sentence to one reclamation of the Italian subject, Abbiati, who he ought to have certified was not a citizen of the United States, for which reason the arbiter rejected it. I showed that, as well on the part of the American commissioner as on that of the arbitrator, there was, in the consideration of the claims, a failure to notice those facts upon which their decisions ought principally to rest. Respecting the claim of the heirs of Captain Clark, I brought to mind the precedent already existing of the decision pronounced by the commission in Ecuador, and the statement made by the American commissioner and minister of the United States in that country, Mr. Hassaurek, that that individual had deserved rather punishment than reward. The same subject was also dismissed without consideration from the board of arbitration on the part of New Granada, (now Colombia.) And I am now forced to recall the attention of the Department of State to this noteworthy matter; since it is really incomprehensible how the strange anomaly can exist, that there be, to the detriment of Venezuela, an especial code of justice which is not applicable to the sister republics of Colombia and Ecuador, and which tends to shield a crime according to the conscientious expression of the Commissioner and Minister Hassaurek. I also observed that, in the case of Nobles, Beales, and Garrison, none of the considerations which should influence the decision of a judge were had in view. The Venezuelan commissioner protested in due form against the competency of the tribunal; and, as I said in my first letter, the pretence that Venezuela shall pay what has been inconsiderately sentenced by the arbitrator would be equivalent to a pretence that the United States should pay the damages demanded by those who made contracts with the government of the so-called southern confederacy; that is to say, the damages, real or imaginary, which they have suffered from their non-fulfilment. But there is yet more to be said in the present

case, for even according to the hypothesis, which I deny, that the Venezuelan government is responsible to the United States for the nullification of contracts made with an intrusive and ephemeral government, not recognized either by Venezuela or by the United States, there remains the fact that the contracts have been a mere fraud from the beginning to the end. If, instead of postponing every other object to that of extracting money from the treasury of Venezuela, even a moderate attention had been paid to the true statement of the facts, that decision, involving the most sordid criminality, could never have been arrived at. The conscience of the judge would not have failed to note that the contracts were leonine and concluded in bad faith; his eyes would not have failed to see the letters, which are included in the espediente, written by the so-called dictator to Mr. Beales, and by his general secretary to Mr. Nobles, in which they unblushingly confess that the steamship contract was made only "out of complacency" and "for the profit" of the pretenders, for which purpose, and that it might be extended at pleasure, a power of attorney was given to the consul in New York, a brother-in-law of the general secretary. The judge would have perceived that the contractors failed to make good the condition of sending the first steamship to La Guayra within 100 days, by which fact the contract died a natural death. And since the judge only saw a so-called additional article, by which the limit of 100 days was extended to eight months, he ought to have seen the evident nullity of this fraudulent article; since not only was it drawn up after the so-called dictatorship had ceased to exist, but the ex-consul was not provided with power to modify the contract; and in this assumption of governmental faculties, as well as in his artful acceptance by the contractors, the judge ought rather to have seen a proper subject for a criminal prosecution than for an indemnification.

If the judge closed his eyes to all these facts, and if he closed them also in order not to see in the same espediente a certificate of a notary public of New York figuring with the pretence of being authentic, but in which there is no signature of the notary, and that notwithstanding this there is to be found after it the consular legalization in which it is certified that the signature of the notary, which is not found in the document, is worthy of full credit, what were then the duties of the judge, and the obligations which he contracted with his principals?

I manifested, finally, in my letter of February 12, that, in the affair of the heirs of Jacob Idler, the arbitrator gave his decision to the effect that he would not go into an examination of the accounts in view of the possibility that it might present difficulties owing to its long standing, &c.; that is, he confesses that, under this puerile pretext, he violated his oath to scrupulously examine and decide with justice and impartiality.

By what has been stated it will be seen that I do not propose merely to examine conscientious reasons and judgments, more or less correct, as the facts which the government of Venezuela stated through me would have appeared to your excellency's honorable predecessor, and that the grave nature of the charges rests not alone upon the proved fact of Mr. Talmage holding powers of attorney from several of the claimants; a fact, the gravity of which cannot admit of a doubt, especially if it be taken in connection with the idea in which he pertinaciously insisted beforehand, and carried by the aid of the arbitrator, of dividing into parts the certificates, *i. e.*, the amounts assigned to each favored individual. I have to do with an accumulation of grave and criminal facts which vitiate and annul the decisions of the arbitrator as being the product of a deliberate plan to carry up to the highest possible sum the concessions made to the interested parties, a plan followed out systematically and

perseveringly to the detriment of the Venezuelan treasury, and to the scandal of the native and foreign public of Caracas.

If in arbitration, as in war, there were no other object than that of doing all possible damage to the opposite side, it would be neither proper nor opportune to remonstrate against the consequences of the conduct of Messrs. Talmage and Machado; but as the objects of that institution are entirely distinct, and as, upon fixing the arbitral commission at Caracas, it was the positive intention and desire of both nations that their commissioners should act with loyalty and good faith, the government of Venezuela maintains that the radical defects of that commission being demonstrated, the United States should agree to its revision. Even though this step should be a novelty, as it appeared to the honorable Mr. Seward, the novelty does not detract from the force of justice; but in fact, there is nothing new in the proposal, since the laws of nations, according to the exposition of the writers upon the subject, recognize the justice of annulling an arbitral decision whenever the judges lay aside their judicial character, as Messrs. Talmage and Machado have repeatedly and notoriously done, as already stated. Not to accumulate quotations, a single one from so respectable an authority as Phillimore may suffice. In his "Commentaries upon International Law," part ix, chapter 1, he says, in treating of arbitration:

The sentence once given is binding upon the parties whose own act has created the jurisdiction over them. The extreme case may indeed be supposed, of a sentence bearing upon its face *glaring partiality and attended with circumstances of such evident injustice as to be null.* Nee tamen, (Voet observes,) executioni danda evit. si per sordes, aut per manifestam gratiam vel inimicitiam probetur lata.

Having proved with such conclusive reasons the justice with which Venezuela comes, full of fraternal sentiments to the United States, to ask an act of equity which will redound chiefly in honor and credit to her own illustrious government, I respectfully reiterate my request for the revision of the decisions which I made in the name of my government in my letter of February 12.

On this occasion I have great pleasure in improving the opportunity to offer to your excellency the assurances of my most distinguished consideration.

ML. MUÑOZ Y CASTRO.

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*Mr. Washburne to Mr. Muñoz y Castro.*

DEPARTMENT OF STATE,
*Washington, March* 16, 1869.

SIR: I have the honor to acknowledge the receipt of your letter of the 12th instant, in which you reiterate the request for a revision of certain decisions made by the joint commission lately sitting at Caracas. I cannot perceive that you present any new fact or reason for acceding to that request additional to those adduced in your letter of the 12th ultimo, and which, as you were informed by my predecessor in his communication of the 3d instant, this government was constrained to regard as inconclusive and unsatisfactory. I must, therefore, decline to reconsider the determination with which you have been made acquainted.

I avail myself of the occasion to tender to you a renewed assurance of my high consideration.

E. B. WASHBURNE.

Señor MANUEL MUÑOZ Y CASTRO, *&c., &c., &c.*

41ST CONGRESS, 1st Session. | SENATE. | EX. DOC. No. 6.

# LETTER

FROM

# THE SECRETARY OF THE INTERIOR,

COMMUNICATING

*A report of the commissioners appointed under the 13th article of the treaty between the United States and the Senecas and mixed Senecas, Shawnees, and other Indians, concluded February 23, 1867, to ascertain and report the amount of money due by the United States to the Wyandott Indians.*

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MARCH 19, 1869.—Referred to the Committee on Indian Affairs and ordered to be printed.

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DEPARTMENT OF THE INTERIOR,
*Washington, D. C., March 17, 1869.*

SIR: The 13th article of the treaty between the United States and the Seneca and mixed Senecas, Shawnees and other Indians, concluded in this city on the 23d of February, 1867, authorizes and directs the Secretary of the Interior to appoint three persons whose duty shall be to ascertain and report to the department the amount of money, if any, due by the United States to the Wyandott Indians under existing treaty stipulations, and the items mentioned in Schedule A, appended to the treaty.

Commissioners were accordingly appointed. On the 2d instant they submitted a report to the Commissioner of Indian Affairs, from which it appears that they have concluded their investigations on all matters, except those relating to depredations on Wyandott property; and they were of opinion that their inquiries in regard to such depredations could be more successfully prosecuted in Kansas than in this city. Instructions were given to them accordingly by my predecessor on the 26th ultimo to proceed to Kansas to complete the investigation.

I do not deem it proper to await the completion of the work of the commissioners, and, pursuant to the terms of the treaty, have the honor to submit a copy of the report herewith for such action as Congress may deem necessary in the premises.

Very respectfully, your obedient servant,

J. D. COX, *Secretary.*

Hon. SCHUYLER COLFAX,
*Vice-President of the United States and President of the Senate.*

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WASHINGTON, D. C., *March 2, 1869.*

SIR: The commissioners appointed in accordance with the Senate's amendment of the 13th article of the Treaty of the 23rd of February, 1867,

with the Senecas, and other Indians, "to ascertain and report to the department the amount of money, if any, due by the United States to the Wyandott Indians, under existing treaty stipulations, and the items mentioned in Schedule A appended to that treaty," have had the same under consideration, and, after a full investigation of all matters embraced therein, except item *seven* of Schedule A, respectfully submit the following report:

By the 6th article of the treaty of January the 31st, 1855, (see Statutes at Large, volume 10, page 1,162,) in consideration of the Wyandott nation agreeing to relinquish and release the United States from all annuities, school moneys, &c., as well as from all other claims or demands whatsoever as a nation, arising under any treaty or transaction between them, the United States agreed to pay the Wyandott nation the sum of three hundred and eighty thousand dollars, to be equally distributed and paid to all the individuals and members of the said nation, in three annual instalments, payable in the month of October, commencing in the year one thousand, eight hundred and fifty-five.

According to this stipulation, each of the annual instalments amounted to $126,666 66; and the last clause of said 6th article of said treaty provides that "such part of the annuity under the treaty of 1842 as shall have accrued, and may remain unpaid at the date of the payment of the first of the above mentioned instalments, shall then be paid to the Wyandotts, and be in full and final discharge of said annuity."

According to a statement of the Commissioner of Indian Affairs, now before us, it appears that "such part of the annuity" was paid in October, 1855; and we are of the opinion that said payment was in full and final discharge of the annuity due under the treaty of 1842. But as the payment of less than one-half of the first instalment, under the treaty of 1855, was made in October, 1855, and the entire balance of said first instalment was not paid until October, 1856, and as successive payments were all equally deferred, we have considered it just and proper to allow interest, at the rate of six per cent. per annum, on all these deferred payments; which, being carefully calculated and added to the small balance of principal due, amounts to *eleven thousand six hundred and twelve dollars*, ($11,612,) on the 4th of March, 1869.

By the 7th article of the treaty of 1855 it is provided that "the sum of $100,000, invested under the treaty of 1850, together with any accumulation of said principal sum, shall be paid over to the Wyandotts in like manner, with the $380,000 mentioned in the next preceeding article, but in two equal annual instalments, commencing in one year after the payment of the last instalment of the said above mentioned sum."

The first instalment, therefore, of this $100,000 was payable in October, 1858, and the second in October, 1859. By the statement of the Commissioner of Indian Affairs, now before us, it appears that the government did not pay these instalments in money, but in lieu thereof delivered to the Wyandotts, (who received them under protest,) on the 13th of May, 1859, $52,000 in Tennessee six per cent. bonds; $1,000 in Missouri six per cent. bonds; $594 53 in United States six per cent. bonds, and on the 24th of March, 1860, $53,000 in Tennessee five per cent. stock.

By evidence now before us it is shown that the Wyandotts sold the stocks first delivered to them, (on the 13th of May, 1859,) at the highest market price, for $38,407 50, being $11,592 50 less than the first instalment due the previous October. This loss, together with interest thereon at six per cent. per annum for 10 years, amounting to $18,547, we consider justly due to the Wyandotts.

By similar evidence it is shown that the Wyandotts sold the stocks last delivered to them, (on the 24th of March, 1860,) at the highest market price, for $41,870, being $8,130 less than the second instalment due the previous October. This loss, together with interest thereon at six per cent. for nine years, amounting to $12,620, we also consider justly due.

We have therefore allowed the above sum of $11,592 50, and the sum of $8,130, with interest on each, to reimburse them on account of losses sustained by the investment of their funds by the government in the above mentioned depreciated stocks, and which were received at the time under protest by the Wyandotts.

On examination of the books in the Indian Bureau we find on the 30th of June, 1864, there was transferred to the surplus fund $2,089 50, which stood credited to the Wyandotts by appropriation in fulfilment of treaty stipulations under the following heads:

| | |
|---|---|
| Annuity | $1,329 98 |
| Blacksmith | 363 25 |
| Education | 125 00 |
| Improvements | 271 28 |
| Total | 2,089 51 |

These appropriations should have been paid on the ratification of the treaty of January 31, 1855, and are now due with interest from that time, amounting to $3,844 69.

By the fourth article of the treaty of January 31, 1855, with the Wyandotts, it is stipulated that, "none of the lands thus assigned and patented to the Wyandotts shall be subject to taxation for a period of five years from and after the organization of a State government over the territory where they reside."

The authorities of the then Territory of Kansas construed this provision of the treaty to mean that, though these lands were to be exempt from taxation for five years *after* the establishment of a State government, yet they were taxable up to the time such State government should be so formed, and accordingly taxed the lands, for the years 1859 and 1860, to the amount of $11,703 56, as is shown by the statement of Byron Judd, the treasurer of Wyandott county, Kansas, (in 1859 and 1860,) where these lands are situated.

From a statement of the Commissioner of Indian Affairs, and from the affidavit of John T. Cochran, who made the treaty under the direction of the Commissioner, there can be no doubt that the spirit and intent of the foregoing stipulation was, that the Wyandotts should be exempt from taxation *from the date of said treaty until five years after the formation of the State government.* Justice therefore requires that the $11,703 56 paid by the Wyandotts to the territorial government for taxes, in 1859 and 1860, should be refunded to them, with interest at six per cent., from the time of payment on the 26th of January, 1864, to the 4th of March, 1869, the whole amounting to $14,582 62.

By the 14th article of the treaty of February, 1867, it is stipulated that the sum of $5,000 shall be paid to the Wyandotts to enable them "to establish themselves in their new home," which sum, never having been paid to them, is still due under said treaty.

The foregoing sums we consider justly due to the Wyandotts from the United States, to wit:

| | |
|---|---|
| A.—Interest on deferred payments | $11,612 00 |
| B.—Loss on sale of bonds May, 1859, with interest | 18,547 00 |

| | |
|---|---|
| ...ss on sale of bonds March, 1860, with interest ..... | $12,620 00 |
| C.—Money heretofore appropriated in fulfilment of treaty stipulations, but transferred to the surplus fund..... | 3,844 69 |
| D.—Taxes unjustly collected by the Territorial government of Kansas, in 1859 and 1860, to be refunded, with interest. | 14,582 62 |
| E.—Grant of $5,000 for Wyandotts to establish themselves in their new home ..... | 5,000 00 |
| Total..... | 66,206 31 |

In addition to the foregoing, your commissioners have had before them the claims of various parties of the Wyandotts, (under act of Congress of June, 1834,) for losses by depredations committed upon their property between the years 1847 and 1863, amounting, in the aggregate, to $34,342 50.

Many of these claims are not sustained by any testimony whatever, and where testimony is furnished it is not sufficient to warrant us in allowing the claims.

It is the opinion of the commissioners that these claims should not be allowed until their validity can be more fully established by evidence taken upon the ground where these depredations are said to have been committed.

All the papers in our possession upon which the foregoing report has been based, and marked respectively A, B, C, D, and E, with the same marginal reference to the items above allowed, are herewith returned.

In support of item D will be found an abstract (so marked) taken from the records of the Indian Bureau.

In support of item E the 14th article of the treaty made with the Senecas and other tribes on the 23d day of February, 1867, is referred to, and a copy of said treaty is filed.

All of which is respectfully submitted.

JAMES H. EMBRY,
JULIUS A. FAY,
JAMES P. TAYLOR,
*Commissioners.*

Hon. N. G. TAYLOR,
*Commissioner of Indian Affairs.*

41ST CONGRESS, 1st Session. | SENATE. | Ex. Doc. No. 7.

# MESSAGE

OF THE

# PRESIDENT OF THE UNITED STATES,

COMMUNICATING,

*In compliance with a resolution of the Senate of the 17th instant, correspondence between James Buchanan, President of the United States, and Lewis Cass, Secretary of State, regarding the policy to be pursued to avert the war of the rebellion.*

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MARCH 30, 1869.—Read, ordered to lie on the table and be printed.

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*To the Senate of the United States:*

In compliance with the request contained in the resolution of the Senate of the 17th instant, in regard to certain correspondence between James Buchanan, then President of the United States, and Lewis Cass, Secretary of State, I transmit a report from the Department of State, which is accompanied by a copy of the correspondence referred to.

U. S. GRANT.

WASHINGTON, *March* 29, 1869.

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DEPARTMENT OF STATE,
*Washington, D. C., March* 27, 1869.

The Secretary of State, to whom was referred the Senate's resolution of the 17th instant, requesting the President, "if not incompatible with the public interest, to communicate to the Senate a copy of the correspondence between James Buchanan, then President of the United States, and Lewis Cass, then Secretary of State, regarding the policy to be pursued to avert the war of rebellion then threatening, which correspondence led to the resignation of Mr. Cass," has the honor to lay before the President a copy of the correspondence called for.

Respectfully submitted,

HAMILTON FISH.

The PRESIDENT.

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*Mr. Cass to President Buchanan.*

DEPARTMENT OF STATE, *December* 12, 1860.

SIR: The present alarming crisis in our national affairs has engaged your serious consideration, and in your recent message you have

expressed to Congress, and through Congress to the country, the views you have formed respecting the questions, fraught with the most momentous consequences, which are now presented to the American people for solution. With the general principles laid down in that message I fully concur, and I appreciate with warm sympathy its patriotic appeals and suggestions. What measures it is competent and proper for the Executive to adopt under existing circumstances is a subject which has received your most careful attention, and with the anxious hope, as I well know, from having participated in the deliberations, that tranquillity and good feeling may be speedily restored to this agitated and divided confederacy.

In some points, which I deem of vital importance, it has been my misfortune to differ from you.

It has been my decided opinion, which, for some time past, I have urged at various meetings of the cabinet, that additional troops should be sent to reinforce the forts in the harbor of Charleston, with a view of their better defence, should they be attacked, and that an armed vessel should likewise be ordered there to aid if necessary in the defence, and also, should it be required, in the collection of the revenue; and it is yet my opinion that these measures should be adopted without the least delay. I have likewise urged the expediency of immediately removing the custom-house at Charleston to one of the forts in the port and of making arrangements for the collection of the duties there, by having a collector and other officers ready to act when necessary, so that when the office may become vacant, the proper authority may be there to collect the duties on the part of the United States. I continue to think that these arrangements should be immediately made. While the right and responsibility of deciding belong to you, it is very desirable that, at this perilous juncture, there should be as far as possible unanimity in your councils with a view to safe and efficient action. I have therefore felt it my duty to tender you my resignation of the office of Secretary of State, and to ask your permission to retire from that official association with yourself and the members of your cabinet, which I have enjoyed during almost four years without the occurrence of a single incident to interrupt the personal intercourse which has so happily existed.

I cannot close this letter without bearing my testimony to the zealous and earnest devotion to the best interests of the country with which, during a term of unexampled trials and troubles, you have sought to discharge the duties of your high station.

Thanking you for the kindness and confidence you have not ceased to manifest towards me, and with the expression of my warmest regard, both for yourself and the gentlemen of your cabinet,

I am, sir, with great respect, your obedient servant,

LEWIS CASS.

The PRESIDENT OF THE UNITED STATES.

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*President Buchanan to Mr. Cass.*

WASHINGTON, *December* 15, 1860.

SIR: I have received your resignation of the office of Secretary of State with surprise and regret. After we had passed through nearly the whole term of the administration with mutual and cordial friendship and regard, I cherished the earnest hope that nothing might occur to disturb

our official relations until its end. You have decided differently, and I have no right to complain.

I must express my gratification at your concurrence with the general principles laid down in my late message, and your appreciation "with warm sympathy of its patriotic appeals and suggestions." This I value very highly, and I rejoice that we concur in the opinion that Congress does not possess the power under the Constitution to coerce a State, by force of arms, to remain in the confederacy.

The question on which we unfortunately differ is that of ordering a detachment of the army and navy to Charleston, and is correctly stated in your letter of resignation. I do not intend to argue this question; suffice it to say that your remarks upon the subject were heard by myself and my cabinet with all the respect due to your high position, your long experience, and your unblemished character; but they failed to convince us of the necessity and propriety, under existing circumstances, of adopting such a measure. The Secretaries of War and of the Navy, through whom the orders must have issued to reinforce the forts, did not concur in your views; and, whilst the whole responsibility for the refusal rested upon myself, they were the members of the cabinet more directly interested. You may have judged correctly on this important question, and your opinion is entitled to grave consideration, but, under my convictions of duty, and believing, as I do, that no present necessity exists for a resort to force for the protection of the public property, it was impossible for me to have risked a collision of arms in the harbor of Charleston, and thereby have defeated the reasonable hopes which I cherish of the final triumph of the Constitution and the Union. I have only to add that you will take with you into retirement my heartfelt wishes that the evening of your days may be prosperous and happy.

Very respectfully yours,

JAMES BUCHANAN.

Hon. LEWIS CASS.

41ST CONGRESS, 1st Session. | SENATE. | EX. DOC. No. 8.

# LETTER

OF

# THE SECRETARY OF WAR,

COMMUNICATING,

*In compliance with a resolution of the Senate of the 10th instant, a report of the Chief of Engineers upon the military importance of San Juan island.*

MARCH 22, 1869.—Referred to the Committee on Foreign Relations.
APRIL 6, 1869.—Ordered to be printed.

WAR DEPARTMENT, *March* 20, 1869.

The Secretary of War has the honor to submit to the Senate of the United States, in answer to its resolution of March 10, 1869, the accompanying report of the Chief of Engineers upon the military importance of San Juan island, and to invite attention to the recommendation therein that the same be regarded as confidential.

JOHN A. RAWLINS,
*Secretary of War.*

OFFICE OF THE CHIEF OF ENGINEERS,
*Washington, March* 18, 1869.

GENERAL: I have the honor to report as follows, for the information of the General of the Army, upon the resolution of the Senate of the 10th of March, received from the War Department on the 11th instant, asking for information relating to the military importance of the island of San Juan, in Washington Territory.

The subject was referred by me to the board of engineers for fortifications, whose report I submit herewith, together with the Coast Survey map of Washington sound and approaches.

The board adopts the views presented in a report upon the subject made by the late Chief Engineer, General Totten, after a personal examination, in 1860, of the region in question. These views are quoted in their report.

My own view of the subject is fully in accordance with those presented by General Totten and the board of engineers.

Great Britain owns the whole of Vancouver island, with a full front on the Straits of Fuca, which embraces an admirable man-of-war harbor at Esquimault. This gives her ample power up the Canal de Haro and through the Straits of Fuca to their entrance from the Pacific ocean. The maintenance of this power does not require anything more. If she possessed the whole archipelago she need not make any further military or naval establishment in it. Our sole and exclusive possession

of the Rosario straits will be of no appreciable military value to us if Great Britain be allowed to possess the island of San Juan, and thus exercise a joint control with us of President's passage or San Juan channel, in addition to an exclusive possession of the Canal de Haro. The possessor of the south extremity of the island of San Juan can easily close the entrance to the President's passage at will.

By establishing a military and naval station at Griffin bay, on the southeastern shore of San Juan island, we shall be able to overlook these inner waters equally with Great Britain from Esquimault harbor, and thus counterbalance the preponderance she is seeking to establish.

Excluded from this harbor we shall find no substitute for it, for no harbor of sufficient capacity for vessels of war is to be found east of this point short of Rosario strait. A harbor in Rosario strait will not enable us to overlook these inner waters equally with Great Britain.

Our military interests, therefore, require us to possess the island of San Juan and an equal joint share of the use of the waters of the Canal de Haro.

Fortunately for the United States the facts presented in the report of her commissioner for determining and marking the northwest boundary (recently published by Congress) prove that the boundary line, if drawn through the middle of the Canal de Haro, will fulfil all the conditions of the boundary treaty dependent upon physical facts; whereas a line drawn through Rosario strait, or through the comparatively narrow channel running between the islands forming the San Juan group, called President's passage, will not fulfil these conditions.

It is requested that this communication be regarded as confidential.

The resolution of the Senate is returned herewith.

Very respectfully, your obedient servant,

A. A. HUMPHREYS,
*Brig. Gen. and Chief of Engineers.*

The ADJUTANT GENERAL
*United States Army.*

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NEW YORK, *March* 15, 1869.

GENERAL: The resolution of the Senate of the United States directing the Secretary of War "to communicate any information existing in his department relative to the military importance of the island of San Juan in Washington territory," having been referred to the board of engineers for fortifications for report, that board, after attentive consideration of the subject, reports its views as follows:

Besides accurate charts and voluminous documentary information, the board has had the advantage of the results of the personal examination of the locality in question by the late Chief Engineer of the United States, General J. G. Totten.

That eminent and experienced officer was sent by the War Department to the Pacific coast in 1859, for the express purpose of making a personal examination to select sites for military or naval occupation, and to indicate the extent and character of fortifications required.

From his report we extract the following paragraphs:

Great Britain, by owning the whole of Vancouver's island, of which the southern shore bounds the Straits of Fuca on the north, possesses, just within its southern extremity, the admirable man-of war harbor of Esquimault; and she now occupies it as a naval station. having present there at the time of my visit one line of battle ship, and four war steamers,

This harbor has, in a high degree, every internal convenience, facility of ingress and egress at all times, and perfect defensibleness at a moderate cost, by fortifications, should such defence be considered necessary at any future time.

My first remark on these circumstances is, that, possessing Esquimault harbor, the ownership of the San Juan archipelago, or of that island alone, is not necessary to Great Britain for her own occupation, either for defensive or offensive purposes; because while occupying Esquimault harbor, and enjoying naval superiority, she will command completely, so far as local position can enable her, the Straits of Fuca, and other waters within Cape Flattery, including Puget sound, Admiralty inlet, and all the channels and passages of the San Juan archipelago. All our commerce and communications therein will be interrupted, or exposed to the greatest hazards.

* * * * * * *

This leads me to remark, in the second place, that by the establishment of the division line between the two countries in the Straits of Haro we shall in some sort have compensation for the advantages Great Britain enjoys by owning the whole of Vancouver's island, and maintaining a predominant naval force at its southern extremity, since it will then be in our power to react with more or less effect, according to our energy and enterprise, upon these interior waters, by securely fortifying an anchorage *at San Juan island, or some place close upon the Haro channel.*

The presence under the shelter of such fortifications of fast armed steamers would exercise an important influence upon the communications between the Straits of Fuca and the Gulf of Georgia, Frazer river, &c; would at all times threaten and harass this communication, and completely command it, whenever it should happen to be without the actual presence of a strong convoy.

It is easy to see that no such effect could be looked for, with the naval mastery against us, if our nearest fortified position were some 40 or 50 miles distant from the main channel, which will be the case if the Rosario strait is to become the boundary.

My conclusions from these and such like considerations are that the possession of the San Juan group of islands is strategically of high importance to us; that without this possession there can be no escape or relief from the paralysis that adverse naval predominance will impose on all our coasts and waters inside of Cape Flattery; and that so far as considerations of a different nature admit or can be materially aided by such influences, this importance can hardly have too much weight given to it.

In these few paragraphs we see not only why, in a military point of view, the Haro channel should be the boundary, and the strategic importance of the San Juan group of islands, but we have especially pointed out the particular "military importance" of the largest member of that group, and the one most "close upon the Haro channel," viz: San Juan island.

Concurring fully in these views, and believing that they remain at the present moment, as when they were given, the best exposition that can be given of the military importance of San Juan island in all its relations, the board adopts them as its report.

The papers in the case are herewith returned.

Respectfully submitted:

J. G. BARNARD,
*Colonel and Brevet Major General.*
Z. B. TOWER,
*Lieut. Colonel Engineers and Bvt. Maj. General.*
GEO. W. CULLOM,
*Colonel Engineers and Bvt. Major General.*
H. G. WRIGHT,
*Lieut. Colonel of Engineers, Bvt. Major General.*

Brevet Major General A. A. HUMPHREYS,
*Chief of Engineers U. S. A., Washington, D. C.*

41ST CONGRESS, 1st Session. | SENATE. | Ex. Doc. No. 9.

# LETTER

OF

# THE POSTMASTER GENERAL,

TO

*The Chairman of the Committee on Post Offices and Post Roads, in relation to cheap ocean postage.*

APRIL 6, 1869.—Ordered to be printed.

No. 17,289.] POST OFFICE DEPARTMENT,
*Washington, April 2, 1869.*

SIR: With reference to the "Resolution in favor of cheap ocean postage," submitted to the Senate by Mr. Sumner, on the 20th ultimo, and referred to the Committee on Post Offices and Post Roads, a copy of which you have transmitted to me for any information I may choose to communicate. I have the honor to state that the efforts of this department have, for several years, been specially directed to the negotiation of improved postal conventions with Great Britain and countries on the continent of Europe. These negotiations have resulted in the conclusion of new conventions with Great Britain, and the North German Union, respectively, reducing rates of international letter postage to one-half of those previously charged, and establishing moderate charges upon printed matter of all kinds, and other postal packets, exchanged in the mails with each of these countries. The single rate for letters between the United States and the United Kingdom of Great Britain and Ireland was reduced from 24 to 12 cents; and between the United States and the North German Union from 30 to 15 cents, commencing on the 1st of January, 1868, (the sea portion of the postage being 8 cents per single rate in each case.)

The negotiations opened with the French government for the same object are still in progress, and it is hoped they may result in the conclusion of an improved postal arrangement with France, to come into operation at the commencement of the next year.

Liberal postal conventions, containing substantially the same principles and provisions concluded with the Netherlands, Belgium, Switzerland, and Italy, respectively, have recently been carried into operation, under which reduced rates of postage have been established to all parts of Europe and Asia; and it will be the future policy of this department, as opportunities shall offer, to further reduce the rates of postage, and render more simple and uniform the details governing the exchange of correspondence with other countries.

The question of the further reduction of the international letter rate between this country and Great Britain, reserved by article 3, of the present convention, for consideration at the expiration of 12 months from its commencement, will come up for consideration and action after the 1st of January next, and it is hoped that the British office may then be willing to reduce the existing rate of letter postage to the lowest practicable standard.

I am, very respectfully, your obedient servant,

JNO. A. J. CRESWELL,
*Postmaster General.*

Hon. ALEXANDER RAMSEY,
*Chairman Committee on Post Offices and Post Roads, U. S. Senate.*

41ST CONGRESS, 1st Session. | SENATE. | EX. DOC. No. 10.

# MESSAGE

OF THE

# PRESIDENT OF THE UNITED STATES,

IN RELATION TO

*The restoration of the States which were engaged in the rebellion to their proper relations to the government and country.*

APRIL 7, 1869.—Read, referred to the Committee on the Judiciary, and ordered to be printed.

*To the Senate and House of Representatives:*

While I am aware that the time in which Congress proposes now to remain in session is very brief, and that it is its desire, as far as is consistent with the public interest, to avoid entering upon the general business of legislation, there is one subject which concerns so deeply the welfare of the country that I deem it my duty to bring it before you. I have no doubt that you will concur with me in the opinion that it is desirable to restore the States which were engaged in the rebellion to their proper relations to the government and the country, at as early a period as the people of those States shall be found willing to become peaceful and orderly communities, and to adopt and maintain such constitutions and laws as will effectually secure the civil and political rights of all persons within their borders. The authority of the United States, which has been vindicated and established by its military power, must undoubtedly be asserted for the absolute protection of all its citizens in the full enjoyment of the freedom and security which is the object of a republican government. But, whenever the people of a rebellious State are ready to enter in good faith upon the accomplishment of this object, in entire conformity with the constitutional authority of Congress, it is certainly desirable that all causes of irritation should be removed as promptly as possible, that a more perfect union may be established and the country be restored to peace and prosperity.

The convention of the people of Virginia which met in Richmond on Tuesday, December 3, 1867, framed a constitution for that State, which was adopted by the convention on the 17th of April, 1868, and I desire respectfully to call the attention of Congress to the propriety of providing by law for the holding of an election in that State at some time during the months of May and June next, under the direction of the military commander of the district, at which the question of the adoption of that constitution shall be submitted to the citizens of the State. And if this should seem desirable, I would recommend that a separate vote be taken upon such parts as may be thought expedient. And that at the same time, and under the same authority, there shall be an election for the officers provided under such constitution; and that the constitution, or such parts thereof as shall have been adopted by the people, be submitted to Congress on the first Monday of December next, for its

consideration; so that if the same is then approved, the necessary steps will have been taken for the restoration of the State of Virginia to its proper relations to the Union. I am led to make this recommendation from the confident hope and belief that the people of that State are now ready to co-operate with the national government in bringing it again into such relations to the Union as it ought, as soon as possible, to establish and maintain, and to give to all its people those equal rights under the law which were asserted in the Declaration of Independence in the words of one of the most illustrious of its sons.

I desire also to ask the consideration of Congress to the question whether there is not just ground for believing that the constitution framed by a convention of the people of Mississippi for that State and once rejected might not be again submitted to the people of that State in like manner and with the probability of the same result.

U. S. GRANT.

WASHINGTON, D. C., *April* 7, 1869.

41ST CONGRESS, 1st Session. | SENATE. | Ex. Doc. No. 12.

# LETTER

OF

# THE SECRETARY OF THE NAVY,

COMMUNICATING,

*In compliance with a resolution of the Senate of the 5th instant, information in relation to contracts with Norman Wiard for the fabrication and delivery of ordnance.*

MARCH 31, 1869.—Referred to the Committee on Naval Affairs.
APRIL 9, 1869.—Ordered to be printed.

NAVY DEPARTMENT,
*Washington, March* 31, 1869.

SIR: I have the honor to acknowledge the receipt of the resolution passed by the Senate on the 5th instant, directing that the Secretary of the Navy report to the Senate "what contracts, if any, have been entered into between that department and Norman Wiard for the fabrication and delivery of ordnance or other arms since the 1st day of January, 1861; the terms and conditions of such contracts; how far such contracts have been fulfilled; how many guns have been delivered, and how much money has been paid him thereon; how much money, if any, is now due him on said contracts, or either of them; and all other information that will show the true nature, character, expense, and result of all transactions between the said Wiard and the Navy Department on the subject of ordnance."

The resolution having been referred to the Bureau of Ordnance, I herewith submit a communication of this date from Rear-Admiral John A Dahlgren, the chief of that bureau, and the several papers accompanying it, which, it is believed, furnish the information called for by the Senate.

I am, sir, very respectfully, your obedient servant,

A. E. BORIE,
*Secretary of the Navy.*

Hon. SCHUYLER COLFAX,
*Vice-President of the United States and President of the Senate.*

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No. 9.] BUREAU OF ORDNANCE,
*Navy Department, March* 30, 1869.

SIR: In compliance with the resolution of the Senate, March 5, 1869, transmitted to this bureau, I submit herewith copies of all the correspondence between this bureau and Mr. Wiard, in relation to various

transactions between the Navy Department and Mr. Wiard, which have been found on the files of this bureau, on the subject of ordnance; and they will, I think, convey the information called for by the resolution.

For convenient reference, they are arranged in separate folios, and marked as follows:

No. 1.—Semi-steel howitzers, 1861–1865.
No. 2.—7½-inch rifles, 1861–1864.
No. 3.—Semi-steel 50-pounders, Part I, 1861–1862.
Semi-steel 50-pounders, Part II, 1862–1869.
No. 4.—15-inch smooth bore, 1863–1867. Six drawings and one photograph.
No. 5.—Statement of amounts paid to Mr. Wiard under contracts and accepted orders, 1861–1867.

I also return the resolution of the Senate, and have the honor to be, very respectfully, your obedient servant,

J. A. DAHLGREN,
*Rear Admiral and Chief of Bureau.*

Hon. A. E. BORIE,
*Secretary of the Navy.*

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*Semi-steel howitzers.*


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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*August* 7, 1861.

SIR: The bureau wishes to contract with you to make some semi-steel howitzers, 12-pounders, to be made after a model gun which will be forwarded to you by express. Will you please notify the bureau whether you will undertake it?

The guns to be made subject to such inspection and conditions as provided for in your other agreement.

Very respectfully, your obedient servant,

A. A. HARWOOD,
*Chief of Bureau.*

Mr. NORMAN WIARD.

[NOTE.—The answer to this will be found at page — of —, the file relating to semi-steel 50-pounders. The order to make appears to have been verbal.]

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, D. C., August* 12, 1861.

SIR: I have received your letter of the 9th instant requesting instructions in reference to putting the trunnions, sight, and lock pieces on the steel guns you have engaged to make. In reply, the bureau authorizes you to use the breeching-strap plan contrived by Commander Dahlgren, and wishes you to understand that the welding or forging on the trunnions or other projectiles is not approved. The lock lugs and sight masses may be screwed on.

While, as I explained to you, it would be impossible for the bureau to state the exact number of rifle cannon and howitzers required, I take this opportunity to repeat to you that a large number will be wanted, and as they are wanted directly, the establishment which can make them quickest and of good quality will have the most to do. The order will be renewed as soon as the bureau hears from you of the completion of each batch of five of the large guns, and it will be the same case in regard to the howitzers, provided you can carry on the work at both at the same time without retarding the delivery of the large guns, which will be most wanted.

Very respectfully, your obedient servant,

ANDREW A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq.,
136 *East Thirty-third Street, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, D. C, September* 24, 1861.

SIR: The bureau is informed by Captain Hitchcock that you have 17 howitzers forged already, and beg leave to inform you that there was no order for so large a quantity of that article.

By verbal understanding you were to go on with these guns at the same time as the other guns, reporting when *five* were completed, that the bureau might give you directions when to stop. It was never contemplated to give an unlimited order for semi-steel howitzers. The number now on hand, if they be intended for the navy, requires explanation on your part, which the bureau begs you to furnish at your earliest convenience.

Very respectfully, your obedient servant,

ANDW. A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq.,
136 *East Thirty-third Street, New York.*

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NEW YORK, *September* 29, 1861.

SIR: Your letter of the 24th instant, requiring explanation why I have 17 howitzers on hand, is received.

I have found it even more difficult to make the howitzers than the large guns, from the projection of necessity forged upon them. Yet I have found it convenient to forge the number now on hand (that are forged, finished) during the time the large guns were going on, as I found the capacity of the forge greater than the capacity of the finishing shop.

It was my intention when five were completed to have given you notice of their completion, and also of the number forged, and then to request your approval. That I had no doubt

of receiving, as one of your letters to me (August 12) mentioned "that a large number would be wanted." I had also been applied to by Captain Hitchcock for the pattern howitzer, when he expressed anxiety to get it, from which I inferred that howitzers were much wanted.

Ten large guns are forged, and eight nearly completed.

The projectiles, 500 hollow shot and 50 solid shot, (Hotchkiss,) for the 5.1 guns, are ready, and await the orders of the bureau.

I have also made 100 solid shot (by direction of Captain Hitchcock) for the extreme test of one of the guns, that I expect is to commence early next week. It is expected to use each of them more than once to save expense, and from this consideration I have prepared to dig them out and recast the lead upon them as often as found advisable.

I have prepared a triangle and necessary apparatus for this test, also by direction of Captain Hitchcock. I shall always endeavor to please, and hope you will communicate how far what I have done meets your approval.

Respectfully,

NORMAN WIARD.

Captain ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Navy Department.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, D. C., October* 30, 1861.

SIR: Herewith is inclosed a sketch showing the angle and position of vents of 12-pounde howitzers.

Very respectfully,

A. A. HARWOOD,
*Chief of Bureau.*

Mr. NORMAN WIARD,
136 *East Thirty-third Street, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, D. C., November* 7, 1861.

SIR: 1. Herewith is inclosed a sketch showing the manner and dimensions for bouching 12-pounder Dahlgren howitzer rifles; and you will have the work executed on all guns of that description made for the department.

2. A similar sketch for bouching 7½-inch rifles will be forwarded as soon as possible.

Very respectfully,

A. A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq., *New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, D. C.*

[Telegram for Norman Wiard, 136 East Thirty-third street, New York, November 11—4 p. m.]

The carriages for a rifle howitzer go by express to-morrow to New York navy yard, and authority given to permit you to take them for pattern; likewise two sets of trunnion straps to you for 50-pounders, and eight more will follow, together with those for the 7½-inch rifles.

H. A. WISE,
*Assistant Inspector of Ordnance*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, D. C., December* 7, 1861.

SIR: The bureau has heard, through the public prints, that a semi-steel gun of Mr. Wiard's construction has failed under fire at the Washington arsenal, and as this department is interested in the matter, I have the honor to request that a copy of the report of trial may be furnished to this office.

I am, with high respect, your obedient servant,

ANDW. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

Brigadier General J. W. RIPLEY, U. S. A.,
*Chief of Ordnance, Washington.*

WASHINGTON, *August* 26, 1862.

United States Bureau of Ordnance, Navy Department—to Norman Wiard:

To 3,900 pounds of (five) semi-steel boat howitzers, now at the navy yard, Brooklyn, at 55 cents per pound..... $2,145 00

Above I present an account for five boat howitzers ordered from me by the Bureau of Ordnance, August 7, 1861, inspected by Captain Hitchcock, and by me delivered at the navy yard, according to written orders from the bureau. Twelve guns of the same lot have been in service with the division (army) of General Burnside, and have been put to the severest tests by continual service since first of January, of this year, some part of them having been in every battle in North Carolina during the war. At the time when I was furnishing General Burnside with his guns, he required all I had on hand, and at his request I applied personally to Captain Harwood, then chief of the bureau, (in December last,) for liberty to furnish to General Burnside the guns mentioned in the above account. He refused in the most positive terms to permit the arrangement, and ordered me to offer them at once for inspection, and to deliver them at the navy yard.

I was paid last January for the guns I furnished to General Burnside.

Respectfully,

NORMAN WIARD.

Captain JOHN A. DAHLGREN,
*Chief Bureau of Ordnance, Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, September* 1, 1862.

SIR: Your letter of the 26th has been received. After a full consideration of all the circumstances of the case, the bureau is disposed to accede to your request, provided it be found on examination that no one of the howitzers has the defect which was disclosed by the bursting of the 50-pounder made from the same material.

Very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Mr. NORMAN WIARD,
*Washington, D. C*

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WASHINGTON, *September* 4, 1862.

SIR: I acknowledged the receipt of your letter of September 1 on the 3d instant. I have confidence that no fault will be found with the quality of the boat howitzers referred to. As these guns were not finished in the same shop in which the 50-pounder was bored, and as they were finished while the inspector, Captain Hitchcock, was a frequent visitor at the shop, and also under my own inspection, I think they may be received with confidence. At the same time I shall cheerfully submit to any further examination which the rules of the ordnance department demand.

Respectfully,

NORMAN WIARD.

Commodore J. A. DAHLGREN,
*Chief of Bureau of Ordnance, Navy Department.*

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WASHINGTON, *September* 4, 1862.

SIR: I propose to fabricate for the Navy Department, 100 or more, but not less than 50, 12-pounder rifled semi-steel boat howitzers, at the same price per pound for which I agreed to make the lot undertaken in August, 1861; to be offered by me for inspection in lots of five; each lot to be inspected in the ordinary manner, and paid for in such numbers. I beg to inform you that I have expended about $100,000 in preparation for and the fabrication of semi-steel guns for the Navy Department, upon the assurance of the chief of the Bureau of Ordnance, verbally and in writing, that "a large number of guns would be required," and that "the orders to me would be renewed" as soon as I had completed "each batch of five guns." I do not claim that the Ordnance Bureau shall give me orders for guns if there is not a requirement for them at this time. But I do hold, that in consideration of the premises, I should have the preference if they do. I assure you my strong desire is, and has been. to do faithful service to the government, and that my arrangements are such that I can produce guns of this size with dispatch, and of a uniformly good quality.

Respectfully,

NORMAN WIARD.

Commodore J. A. DAHLGREN,
*Chief Bureau Ordnance, Navy Department.*

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, September* 5, 1862.

SIR: Your letter of September 4 has been received. The ordnance officer at New York will be directed to make the inspection referred to. If satisfactory, the guns will be received and paid for according to accounts forwarded by you on the 26th of August.

Very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Mr. N. WIARD,
*Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, September* 5, 1862.

SIR: There are now at the New York navy yard five 12-pounder guns of semi-steel, made by Mr. Wiard. The inspection was partly made by Captain Hitchcock, but not concluded. In order to do this, the bureau desires that you will fire each gun 10 times with service round; then have a searching examination made by skillful mechanics to ascertain whether a false bottom has been inserted, as in case of a 50-pounder.

The proof by firing is for the purpose of insuring the completeness of the scrutiny, and to apply the water proof. Yourself and Lieutenant Commander Temple will supervise the operation and report whether in these or any other respects there are any apparent defects.

Very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Commander J. W. A. NICHOLSON,
*Assistant Inspector of Ordnance, Navy Yard, N. Y.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, September* 19, 1862.

SIR: Referring to your letter of September 4, in relation to making semi-steel howitzers for the navy, the bureau requests that you will state precisely what was the price per pound for which you agreed to make the lot undertaken in August, 1861.

Very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Mr. NORMAN WIARD,
*Willard's Hotel, Washington City.*

---

WILLARD'S HOTEL, *Washington, September* 20, 1862.

SIR: Your favor of yesterday is received. The prices agreed upon in August last for semi-steel boat howitzers was 55 cents per pound; the same as charged in my account for five delivered at the navy yard, Brooklyn.

Respectfully,

NORMAN WIARD.

Commander J. A. DAHLGREN,
*Chief of Bureau of Ordnance, Navy Department.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, October* 3, 1862.

SIR: Inclosed please find approved triplicate bills for five semi-steel boat howitzers, amounting to $2,152 70, for which please acknowledge receipt to this bureau.

Very respectfully, your obedient servant,

H. A. WISE,
*Assistant to Bureau.*

Mr. NORMAN WIARD.

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BUREAU OF ORDNANCE, NAVY DEPARTMENT.
*Washington City, October* 3, 1862.

SIR: The five semi-steel Wiard rifled 12-pounder howitzers inspected and reported upon by you in letter of the 29th ultimo are received, but they are not to be put in service without the special orders of the bureau.

I am, very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Commander J. W. A. NICHOLSON,
*Assistant Inspector of Ordnance, New York.*

[Telegram from Bureau of Ordnance.]

NAVY DEPARTMENT, *November* 19, 1862--1 p. m.

Upon requisitions from General Banks you will please direct the ordnance officer to deliver one 12-pounder semi-steel howitzer, with ammunition, carriages, and equipment complete; likewise any other stores for the guns they may require.

J. A. DAHLGREN,
*Chief of Bureau.*

Rear-Admiral HIRAM PAULDING,
*Commandant Navy Yard, New York.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, November* 25, 1862.

SIR: The bureau desires you to send with all dispatch to Rear-Admiral Porter, at Cairo, Illinois, in addition to previous orders, two semi-steel rifled 12-pounder howitzers, with boat and field carriages and equipments complete, but without ammunition.

Let each article be distinctly marked "naval ordnance," and inform the bureau when they leave.

I am, respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Commander J. W. A. NICHOLSON, *New York.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, January* 19, 1863.

SIR: Referring to your letter of January 16, (No. 35,) the Wiard semi-steel howitzer No. 7 may be used as one of the guns of the present battery of the Union, provided it is serviceable in all respects.

I am, very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Commander J. W. A. NICHOLSON,
*Assistant Inspector of Ordnance, Navy Yard, New York.*

---

WASHINGTON, *August* 25, 1864.

DEAR SIR: As you requested, I hereby offer to furnish to the Ordnance Bureau 36 12-pounder naval boat howitzer field carriages at the price of $360 each; 24 12-pounder boat howitzer sliding carriages (wood, mahogany) at the price of $250 each; or any less number of either at the same price. I beg to inform you that I have this number of carriages completed and ready for inspection, and shall feel obliged if I receive an order for them from the bureau.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington.*

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[Telegram.]

NEW YORK, *September* 24, 1864.

Captain H. A. WISE, *United States Navy:*

Eleven field and thirteen gliding carriages are ready at Green Point for delivery. Please give necessary orders to ordnance officer for their receipt.

H. L. STUART.

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FARMERS AND CITIZENS' BANK OF LONG ISLAND,
*Brooklyn, October* 8, 1864.

DEAR SIR: I inclose bill of Norman Wiard, for 11 field carriages and 13 sliding, $7,210, with inspector's certificate.

Please send order for payment of same to—

Yours, very respectfully,

O. M. BEACH, *Cashier.*

Captain H. A. WISE,
*Chief of Bureau of Ordnance.*

23 GRAMERCY PLACE, *October* 8, 1864.

DEAR SIR: Your note was received and read to me by Mrs. S., late at night, on my return from Trenton. I had a call to be at the navy yard at 10 o'clock the next morning, and —— myself so that I failed to see you, and kept Mrs. S. waiting in the —— three hours. No matter. I wished to ask you some questions, and will defer some of them till I see you in person. The following I would be obliged if you would reply to:

1. Was there to be two ammunition boxes to each field carriage?
2. Would you purchase all implements and articles of the standard navy pattern that are according to inspection and sample satisfactory which we have on hand at fair prices?

Please respond and oblige yours truly,

H. L. STUART.

Captain WISE.

---

NEW YORK CITY, 23 GRAMERCY PLACE,
*October* 9, 1864.

SIR: The 12 field howitzer carriages inspected by Captain Badger at Trenton some time since are now all ready for delivery at the Philadelphia navy yard. Is it expected, or is it necessary, to have two ammunition boxes to each carriage to make them complete? This was intimated on here. Your earliest attention hereto will oblige me greatly. Also please send me a copy of the instruction to the Philadelphia navy yard in relation to the delivery of the 12 carriages.

Very respectfully,

H. L. STUART.

Captain H. A. WISE,
*Chief of Bureau of Ordnance, U. S. N.*

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FARMERS AND CITIZENS' BANK OF LONG ISLAND,
*Brooklyn, October* 14, 1864.

DEAR SIR: Inclosed please find Norman Wiard's bill, assigned to me, for 12 12-pounder boat field carriages, at $360, $4,320. Please send vouchers for payment of the same to me.

I forwarded to you by mail on the 8th instant a bill of Mr. Wiard's, also assigned to me, for $7,210. I have not heard anything from you concerning it. Please inform me if you have received it, and when the vouchers will be sent to me, and much oblige.

Yours, very respectfully,

O. M. BEACH, *Cashier.*

Captain H. A. WISE,
*Chief of Bureau of Ordnance.*

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FARMERS AND CITIZENS' BANK OF LONG ISLAND,
*Brooklyn, October* 17, 1864.

DEAR SIR: Your letter of the 15th is received, with approved triplicate bills of Norman Wiard, $7,210.

Yours, respectfully,

O. M. BEACH, *Cashier.*

Captain H. A. WISE,
*Chief of Bureau of Ordnance.*

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WASHINGTON, *October* 18, 1864.

SIR: I have on board the steamers Augusta and Savannah, Green Point, New York, next below Continental Iron Works, the following implements and stores for boat howitzer guns, viz:

About 18 train tackle, (6 in block.)
12 drag ropes for 12-pounder field carriages.
62 (12-pounder rifle) passing boxes, (best leather.)
52 light 12-pounder passing boxes.
17 elevating screws, (boat howitzer.)
52 fuze pouches and buff belts.
36 gunners' haversacks.
20 fuze cutters.
20 fuze rammers.
20 vent-boring belts.
20 gunners' gamblets.
20 vent pouches.
20 priming wires.
20 steel pincers.

About 20 powder measures, (filling shell.)
20 powder funnels.
20 loop bolts, (washer and fin.)
50 tube lanyards, (howitzer.)
12 paulins, 8x10 feet, (of duck.)
1 boat howitzer sliding carriage.
1 boat howitzer field carriage.
12 shifting chocks.
24 water breakers.
100 ammunition boxes, (boat howitzer.)
12 spare-article boxes.
5 trail handspikes, (howitzer.)
30 soft cannon spikes.
12 fuze wrenches.
24 fuze mallets.

These implements and stores I should be glad to dispose of to the Ordnance Bureau upon proper inspection, and I ask you to do me the favor to order them from me, and to give the proper instruction for their inspection.

After the inspection I will present a bill for so many of them as are found correct, at such prices as it is found such articles cost at the navy yard.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance.*

---

NEW YORK, *June* 6, 1865.

The prices fixed upon the articles of ordnance stores referred to in the letter of the bureau you have sent me were not all agreed upon distinctly with the bureau. The list of prices furnished me refers to but few of the articles. The prices attached to the balance of the articles were taken from a bill of prices in my hands furnished from the Washington navy yard in 1862, referred to in my last conversation on this subject with the Chief of Ordnance. I understood him, as I now suppose, to consent to those prices, but in this I may have been mistaken.

I think it would be proper for you to refer the bill to the bureau again with a request that they will fix the prices according to their views of what is correct, for the sake of an easy settlement. None of the prices either in the list furnished me or in the bill referred to are near the cost of the articles, but I expected to sell them for less than cost.

Respectfully,

NORMAN WIARD.

Mr. O. M. BEACH.

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FARMERS AND CITIZENS' BANK OF LONG ISLAND,
*Brooklyn, October* 20, 1864.

DEAR SIR: I send, inclosed, receipts from Henry K. Hoff, commodore and inspector of ordnance, for 24 caissons for 12-pounder field carriages; also, for 12 12-pounder field carriages, being the articles for which I sent you a bill, on the 14th instant, of $4,320.

Yours, very respectfully,

O. M. BEACH,
*Cashier.*

Captain H. A. WISE,
*Chief of Bureau of Ordnance, U. S. N.*

P. S. Mr. Wiard will call at your office and indorse the order on the navy agent to me.

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FARMERS AND CITIZENS' BANK OF LONG ISLAND,
*Brooklyn, November* 3, 1864.

DEAR SIR: I am informed that the alterations required on the 12 field carriages at the Philadelphia navy yard, and for which I sent you Mr. Wiard's bill, on the 14th ultimo, have been completed, and the carriages were inspected and accepted on the 31st ultimo.

Please send the vouchers to me as soon as convenient.

Very respectfully, yours, &c.,

O. M. BEACH, *Cashier.*

Captain H. A. WISE,
*Chief of Bureau of Ordnance U. S. N.*

FARMERS AND CITIZENS' BANK OF LONG ISLAND,
*Brooklyn, November* 7, 1864.

DEAR SIR: Your letter of the 5th is received. I have received from Mr. Wiard the bills for gun carriages, $4,229 40.

The bill of Mr. Wiard, for the 12 12-pound carriages was sent to your office by me, accompanied with his order to pay the same to me. Please inform me why the bills were not sent to me. I wish to know, that any future transaction I may have (of this kind) may be done correctly.

Yours, respectfully,

O. M. BEACH, *Cashier.*

Captain H. A. WISE,
*Chief of Bureau of Ordnance.*

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NEW YORK, *November* 19, 1864.

I understood you to state when I saw you last that you would forward me a list of the implements and stores for boat howitzers that you would accept from me under my proposition, with the prices you would pay me attached or added.

I have received a list of stores without the prices named. Will you oblige me by communicating the prices you will pay me for such of the stores named as pass inspection?

I have one field-carriage and about 200 vent and fuse pouches, with belts to add to the number.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, March* 16, 1865.

SIR: The bureau desires to be informed where and in whose keeping the pattern rifled howitzer now is which was lent to Mr. Norman Wiard, through your agency, in August, 1861.

Mr. Norman Wiard has repeatedly promised verbally to return this gun, but has failed to do so yet, and the bureau desires the above information in order that steps may be taken now for its recovery and return to the New York navy yard.

I am, sir, your obedient servant,

R. AULICK,
*Assistant Chief of Bureau.*

Mr. H. L. STUART,
*No.* 23 *Gramercy Place, New York.*

---

113 EAST SIXTIETH STREET, NEW YORK,
*March* 17, 1865.

SIR: I never procured a howitzer in 1861, and therefore, of course, know nothing about any howitzer procured for anybody during that year.

Yours, &c.,

H. L. STUART.

Captain R. AULICK,
*Ass't Chief Bureau Ordnance.*

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FARMERS AND CITIZENS' BANK OF LONG ISLAND,
*Brooklyn, May* 22, 1865.

DEAR SIR: I enclose herewith bill of Norman Wiard, with inspector's receipts, $1,193 49, which bill is assigned to me.

Please forward the vouchers to me as soon as convenient; also, acknowledge receipt of this letter, and much oblige,

Yours, very respectfully,

O. M. BEACH, *President.*

Captain H. A. WISE,
*Chief of Ordnance U. S. Navy.*

FARMERS AND CITIZENS' BANK OF LONG ISLAND,
*Brooklyn, June* 8, 1865.

DEAR SIR: Your favor asking for a copy of agreement as to prices, &c., with Mr. Norman Wiard, was duly received. The delay in replying to the same has been caused by inability to see Mr. Wiard until the 6th.

I inclose his letter to me on the subject. If any of the prices set by him are wrong, please put the prices at what you consider correct and just, and audit the bill.

Yours, very respectfully,

O. M. BEACH, *President.*

Captain R. AULICK,
*Assistant Chief of Ordnance.*

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FARMERS AND CITIZENS' BANK, OF LONG ISLAND,
*Brooklyn, June* 15, 1865.

SIR: Your favor of the 13th instant, with approved triplicate bills for $1,068 99 in favor of Norman Wiard, is received, for which please accept our thanks.

Yours, very respectfully,

O. M. BEACH,
*President.*

R. AULICK, Esq.,
*Assistant Chief of Ordnance.*

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Letter from bureau to Secretary of the Navy relative to recovery of four 7½-inch guns from Mr. Miller. Bureau recommends prompt measures for their transfer from the party who has them in possession ..... 20

Letter from Secretary of the Navy to bureau. "You are directed to take such measures as you deem necessary for the transfer of the four guns from the party who has them in possession" ..... 21

Letter from bureau to E. D. Smith, United States district attorney of New York, relative to recovery of guns from Mr. Miller ..... 21

Letter from bureau to Admiral Paulding. "Send a proper officer to confer with the district attorney in reference to removal of four 7½-inch cannon, property of the government" ..... 21

William L. Miller to Commander Nicholson. "I respectfully protest against the removal by the United States government, from my possession, of four 7½-inch rifles" ..... 21

Letter from Commander Nicholson to bureau, relative to removal of guns ..... 21

Letter from bureau to Admiral Paulding. Bureau has received a letter from Commander Nicholson, stating that Mr. Miller will give up the guns, but under protest; bureau requests that you will cause the guns to be removed to the yard—removal to be entirely in accordance with advice and instruction of district attorney ..... 22

Letter to Commander Nicholson from District Attorney Smith. "Notwithstanding the protest of Mr. William L. Miller, I still advise the taking of the guns" ..... 22

Commander Nicholson to Jacob Straut, teamster. "You will remove the four guns belonging to the government, now in possession of W. L. Miller" ..... 22

Letter from Commander Nicholson to bureau. "By instructions from Admiral Paulding, I directed Lieutenant Commander Meade to consult with district attorney relative to removal of guns; sent teamster to remove guns; Mr. Miller objects: have reported circumstances to district attorney" ..... 22

Letter from Commander Nicholson to bureau. "I have consulted twice, through Lieutenant Commander Meade, with district attorney; district attorney thinks the guns may be obtained without suit" ..... 23

Letter from bureau to district attorney. "Instructions have been forwarded Commander Nicholson to consult you as to further proceedings in the matter, and as to the propriety of removing the guns by force" ..... 23

Letter from bureau to Commander Nicholson. "The bureau desires you to again consult with United States district attorney" ..... 23

Bureau to district attorney. "After the lapse of nearly a year, the bureau desires to call your attention to the matter of the four guns in the hands of Mr. Miller" ..... 23

Telegram to district attorney. Bureau desires an answer to its letter of the 14th ..... 24

Telegram from district attorney. "I will write fully before Monday" ..... 24

District attorney to bureau. "Have pursued the same course in regard to the guns as if they had been my own; still adhere to the views expressed in my letters of February 7 and March 28. I have to-day personally advised Commander J. Young to send and take the guns," &c ..... 24

Letter from district attorney to Admiral Paulding ..... 25

Letter from Lieutenant Buckner to Captain E. M. Yard ..... 25

Letter from Captain Yard to bureau. Four 7½-inch rifles were brought to the yard from Mr. Miller's ..... 25

Letter from Captain Yard to bureau. "In answer to your telegram, I have to state that the guns referred to—four 7½-inch rifles—were brought from the workshop of Mr. W. L. Miller, in the city of New York, to the navy yard, on the 29th of January last. Three of the guns are rifled and one is not" ..... 26

[Confidential.]

BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, October* 10, 1861.

SIR: 1. A very important operation is on foot, which renders it necessary to provide within 100 days 50 guns 11-inch calibre and 7½-inch calibre, in addition to those already in process of fabrication.

2. Under these circumstances, the bureau desires you to ascertain if gun blocks of the above class can be turned and bored with the proper machinery, by any of the large workshops of New York or vicinity within the time specified, in case blocks are furnished within 25 or 30 days, or less, from this date.

3. The bureau applied to Mr. Parrott yesterday to inquire if he could finish 26 masses of 16,000 pounds, half to be rifled, and he replies that his means will not permit him to undertake the work.

4. The bureau has likewise communicated with the Fort Pitt founders, who agree to cast, with two pair of flasks, the blocks for 7½-inch rifles, which, after having the surplus metal turned off, are to be forwarded to this yard for boring and finishing.

5. Commander Taylor has also been instructed to ascertain what can be effected at the Alger's works by the incentive of one cent more than contract price per pound, or other guarantee, as you will remark by the copy of the inclosed letter to that officer.

6. Whenever the work can be executed in part or whole, the bureau will use its utmost exertions to carry it out, with the sanction of the Navy Department for raising the contract price, in case it should be demanded in the present pressing emergency of the naval service.

7. With the foregoing facts in view, to which your prompt co-operation is required, the bureau cannot consent to any further extraordinary proof being conducted with the Wiard guns, and in consequence, after you have convinced yourself of the probable endurance or the reverse of the gun now under trial, you will please devote your attention to the subject above referred to, and likewise to the 16,000-pound masses at the Cold Spring foundry.

Very respectfully,

A. A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK, U. S. N.,
*Inspector of Ordnance, New York.*

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NEW YORK, *October* 28, 1861.

SIR: Mr. N. Wiard will furnish the 7½-inch rifled guns, delivered by Mr. Parrott or others, at the wharf foot of Twenty-ninth street, East river, New York, furnishing the bronze breeching strap and sights, taking them to the proving ground and delivering them at the navy yard, New York, for $750 each.

If the breeching strap is furnished by the United States government, he will deduct from the price 35 cents per pound for the strap.

Please inform me by telegraph if this offer is accepted.

Very respectfully,

R. B. HITCHCOCK.

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Washington.*

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[Telegram for Captain Hitchcock, Albemarle Hotel, New York, October 30, 9.30 a. m.]

The bureau accepts Mr. Wiard's offer in reference to the 7½-inch rifles. The bronze straps will probably be forwarded from here. Do the best you can about the lathe and send it on as soon as practicable.

A. A. HARWOOD.

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, D. C., November* 7, 1861.

SIR: 1. The bureau herewith incloses a sketch showing the dimensions and manner of bouching 7½-inch Dahlgren rifles.

2. You will please have the vents of the guns you finish bouched according to this plan.

Very respectfully,

A. A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq., *New York.*

BUREAU OF ORDNANCE AND HYDROGRAPHY,
*November* 28, 1861.

SIR: Your various communications on ordnance matters are received.

With reference to the 7½-inch rifle, the interior vent, impressions of which were forwarded to the bureau, you will please act as follows:

1. Plug up the original vent.
2. Then open the opposite vent and bouche it according to Dahlgren's method.
3. Rifle the gun and fire it.

The weight of the shell in future proof for the 7½-inch class is to be about 125 pounds. The charge is to be 12 pounds of ordinary cannon powder.

4. Mr. Parrott has been instructed *not* to send any more 7½-inch blocks to Washington.
5. You will please direct all the rifled guns to be rifled, in future, before proof, and likewise to be bouched before firing.

By order of Chief of Bureau.

I am, very respectfully, your obedient servant,

H. A. WISE,
*Assistant Inspector of Ordnance.*

Commander R. B. HITCHCOCK, U. S. N.,
*Inspector of Ordnance, New York.*

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GRAMERCY PARK HOTEL, NEW YORK,
*November* 29, 1861.

SIR: Your order of the 28th received. I am sorry not to have your opinion of Wiard's guns; I am going on with the proof. I made further examination of No. 1 5.1-inch trial gun —Wiard's—and find that it will require a bouche or plug of 1 1-16-inch at the interior vent to obtain sound iron; I have no doubt of a plug being fitted so as to secure the vent; the question, I think, is, what will be the effect upon the gun of so large a hole cut through it.

The army quartermaster here dislikes very much sending large articles for us; he thinks we might look out for our own transportation; I would suggest that an order from the Quartermaster General be sent here for any article you may wish forwarded. The 7½-inch block can only be sent by some large vessel or by rail.

There is trouble here in relation to the finishing of the 7½-inch block; some of the owners of lathes which Mr. Wiard engaged are disposed to take advantage of what they think a necessity, and now ask more than he contracted to do the work for. I think it will not be best to send any more blocks here from Pittsburg at present.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance, United States Navy.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, December* 1, 1861.

SIR: 1. Your communication of the 29th is this day received.

2. With reference to the enlarged vent of the 5.1-inch semi-steel gun, the bureau would suggest that the same plan be adopted as that prescribed for the 7½-inch at Cold Spring, viz: to plug up the original vent, open the one on the opposite side, bouche and fire it.

3. In regard to the trouble about finishing the 7½-inch rifles in New York, you will please exercise your own discretion in the matter, under the sanction of the bureau.

By order of Chief of Bureau.

Very respectfully,

H. A. WISE,
*United States Navy.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington, December* 9, 1861.

SIR: 1. Your communication of the 6th instant is this day received. With reference to the prolonged proof of the 7½-inch rifle, by referring to the bureau's letter of 28th November, you will find it specifically stated that the weight of the shell is to be about 125 pounds; and in the letter inclosing the sketch for cartridge-formers, of 7th instant, the charge is laid down of 10½ pounds cannon powder.

2. You will please procure the 7½-inch projectiles from Mr. Parrott or Mr. Hotchkiss.
3. The 9-inch gun with the cracked trunnion delivered at the New York yard, is not to be put in active service, but may be used on board the receiving ship for gunnery exercise.
4. Commander Gansevoort will be instructed to carry out the above design; and information will likewise be forwarded to him in reference to the shells which were sunk in the river.
5. With reference to the five 12-pounder, semi-steel howitzers, if, after inspection and proof, you deem them safe for service, they are to be forwarded to Flag-Officer Foote, Cairo, Illinois, for the gunboat flotilla. The carriages and equipments, if not prepared in New York, will be sent on from Washington.

I am, very respectfully, your obedient servant,

ANDREW H. HARWOOD,
*Chief of the Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington, December* 11, 1861.

SIR: 1. Your communications of the 9th and 10th instants are this day received.
2. With reference to the semi-steel 50-pounder guns, you have already been instructed to discontinue any further trials with them.
3. You will please cause the trunnion straps for the 50-pounders to be sent to the New York yard.
4. You are authorized to employ a draughtsman, to make a tracing of the lathe drawing, forwarded from the Morgan works.
5. The weight of charges for the Dahlgren rifle guns is *correctly* laid down on the sketch of cartridge-former and also in the letter which accompanied it, and you will please conform thereto, with *cannon* powder, in the proof of the 7½-inch rifles at Cold Spring.
6. With reference to the "number of rounds" the 7½-inch is to be fired, it will depend upon the results shown after the first 100 fires; and the same trial will be made at this yard with a gun of that class from the Fort Pitt foundry.
7. Trunnion straps for 7½-inch are being forwarded to West Point, Wiard, and Alger, as fast as possible.
8. You will please fire the 7½-inch on a carriage or slings, according to your own judgment.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK, *New York.*

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NEW YORK, *January* 14, 1862.

SIR: I returned here yesterday from Boston, and intend to go up to Cold Spring to-morrow.

I called at Mr. Plass's this morning. Three (3) of the 7½-inch guns in their hands are turned and bored; one of them rifling. Three (3) are in the lathe; one not yet commenced upon. Three of these guns were *turned* at Pittsburg according to the first drawing; without they are turned down to the modified drawing, the straps cannot be put upon them. I mention this, as it may be your wish to make straps for them in preference to again turning the guns. May I ask for an early answer?

There is great difficulty in removing the guns from the lathes of this establishment. Mr. Wiard is therefore very desirous of not being required to place the same gun twice in the lathe; which he will have to do, if the form of the chamber is not soon furnished.

At my request a stop was put to sending 7½-inch blocks here. They appear now to have gotten over the difficulty in boring, and if it is the wish of the bureau, they will be pleased to have more work for their *three* lathes.

The order for payment for the hydraulic pump has not been received.

Very respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance.*

Captain A. A. HARWOOD,
*Chief of the Bureau of Ordnance and Hydrography.*

BUREAU OF ORDNANCE AND HYDROGRAPHY,
*Washington City, January* 16, 1862.

SIR: The bureau desires to inform you that the distance from the face of one rim-base to the other, of the 7½-inch rifles, is:

By 1st draught..... 33.30 inches
By 2d draught.....33.65 inches

I am, very respectfully, your obedient servant,

AND. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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NEW YORK, *January* 18, 1862.

SIR: 1. I returned last evening from Cold Spring, and acknowledge the receipt of your communications of January 13 and 16, with the copy of letter from Commander Dahlgren.

2. A bill with all the items of cost of the hydraulic pump was sent to the Ordnance Bureau some weeks since; also a bill for the lathe furnished by Mr. Danvers; I will obtain a second bill of the pump and forward it.

3. I understand that it is your wish to have all the 7½-inch guns, which are being finished by Mr. Wiard, turned down to the modified drawing; this will add to the cost agreed upon with Mr. Wiard.

4. I have sent Mr. Parrott an extract from your order, in relation to cost of shells.

5. I will endeavor to see Mr. Walker in relation to gun-carriage timber.

Respectfully,

R. B. HITCHCOCK, U. S. N.,
*Inspector of Ordnance.*

Captain A. A. HARWOOD,
*Chief of the Bureau of Ordnance and Hydrography.*
*United States Navy, Washington City.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY,
*Washington City, January* 20, 1862.

SIR: 1. Your communication of the 18th instant is this day received.

2. With reference to the 7½-inch rifles, they are to be turned down in conformity with the modified drawings of the guns.

3. The bureau desires to call your attention to paragragh 3 of letter dated from this office of 6th January.

I am, very respectfully, your obedient servant,

AND. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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NEW YORK, *January* 21, 1862.

SIR: Your communication of the 20th received. As directed, I have referred to your order. January 6, article 3. On receiving your letter of January 6, I made extracts from it of article 3, &c., and sent them to Mr. Wiard and Mr. Parrott. In my letter of January 18, I wished to call attention to the condition of the 7½-inch gun in Mr. Wiard's hands; those received from Mr. Parrott were castings without any work having been done on them; those from Pittsburg had been turned to the first drawing; as the cost of turning had once [been paid, I] thought it well that different instructions should be given for the second turning down of these guns, before I implicated the bureau in further cost. The absence in the first instance of explicit instructions in relation to these 7½-inch guns, and the changes that have since been made, is my excuse for troubling the bureau so much. The approved bill for Mr. Campbell is received. Mr. Walker called upon me yesterday, by request, in relation to timber for ordnance purposes; he informed me that he has been a contractor for many years, furnishing timber for the army ordnance department; that his capabilities are good, he being the owner of the timbers and sawmills; he proposes to furnish all kinds of timber that we may require for ordnance purposes, such as oak, walnut, white-wood or poplar; the rate of each to be 50 cents per foot. He proposes that a preliminary examination be had at his mills by an inspector appointed by the bureau, he paying the expenses. He will not be able to furnish timber before the coming season. Information from the army ordnance department would be much better than his statement of what he has done. The difference in cost be-

tween his offer and the present contract with Mr. Bigler, can only be arrived at when the amount of each kind of timber furnished is known, as at present they are received at different costs.

I advised Mr. Walker to call upon you when he should be in Washington, to which he replied that he would be happy to go to Washington if you wished to see him.

Respectfully,

R. B. HITCHCOCK, *Inspector of Ordnance.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

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WILLARD'S HOTEL, WASHINGTON, *June* 11, 1862.

MY DEAR SIR: In reference to certain experiments by which I have proposed to determine the correctness of my theories in relation to the cause of failure of large guns and practicability of my proposed plans for the construction of large guns as shown to you at the time of your visit to my room, and further decided upon at my late visit to the Navy Department in company with Senator Doolittle, I have to request that you will please give such directions to the Ordnance Bureau as will in your judgment best carry out the views then expressed. I would suggest that directions should be given that three of the 7½-inch rifles, now at my shop in New York, (if so many should be found necessary,) should be placed at the disposal of such officer or expert as the bureau shall direct to attend experiments with me; and to me also one 5.1-inch steel gun of my fabrication, (the one put to extreme test and paid for by the bureau,) with such other apparatus and expenditure as shall best enable us to decide the following questions:

1. What effect has the heat evolved from the combustion of the powder in straining or relieving from strain guns of large caliber?

2. What is the mean place and volume of heat communicated to the metals of guns, when fired at intervals; when fired in different states of the atmosphere, as in rain, in sunshine, in low temperature, and when fired rapidly?

3. What advantage of endurance can be had by drilling holes in proper places and directions to give elasticity between inner metal and reinforce of guns, and what is the proper place, direction, and size of such holes?

4. What is the proportionate proper or effective length of bore of rifled guns as compared with smooth-bore guns of same caliber, or through what part of the length of the bore of a rifled gun is the shot accelerated?

N. B. I would only propose that observations and record of as much of the phenomena exhibited during experiments as bears upon the less important of these points should be made as would not direct attention from those I consider more important, not that any special experiments should be made to determine them.

5. What is the quantity of heat evolved from given weight of powder, measured by the effect of the heat upon a measure of water, and what is the relation of heat to pressure of gases of powder, as exhibited with or without windage, in firing guns as well as from firing heavy or light projectiles?

The result of the above proposed experiments may exhibit the necessity of making large guns of such form or such combinations of metals, or both, as will compensate for irregular expansion to avoid bursting, and the advantages exhibited in my models of proposed large guns as heretofore exhibited to you.

To enable me to decide upon the size, position, and direction of the holes to be drilled in the 7½-inch guns, the best I can from my present convictions, I ask you to direct the bureau to furnish me at once with a tracing of the guns, and at all times to give me frankly such other favors and information as may from time to time be necessary to the fullest solution of the above or other questions in connection with this subject, that I may not expend money or time to get at facts already in possession of the bureau.

Very respectfully,

NORMAN WIARD.

Hon. GIDEON WELLES, *Secretary of the Navy.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY,
*Washington City, July* 18, 1862.

SIR: By authority from the Secretary of the Navy, the bureau places at your disposal for experimental purposes, two (2) 7½-inch rifle cannon, now at your establishment in New York, in compliance in part of your request as contained in your communication to the Navy Department of 11th instant.

A drawing of the 7½-inch is herewith transmitted.

I am, very respectfully, your obedient servant,

AND. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

Mr. NORMAN WIARD, *Willard's Hotel, Washington.*

WASHINGTON, *July* 19, 1862.

SIR: Preliminary experiments to establish the place and quantity of heat communicated to guns in firing, are necessary in order to enable me to judge how to prepare the 7½-inch rifles for the tests I had in view in making my proposal to the Secretary of the Navy.

One steel gun of my fabrication (the one before mentioned I consider to be best adapted for the purpose) is not included with those so kindly placed at my disposal.

Will you please direct that it also be given to me to be used first, and after its use for the purpose specified, I shall commence upon the others.

I will on Monday give you an estimate of the probable expense of conducting the pro posed experiments that I assure you will not include any remuneration or profit to myself.

Respectfully,

NORMAN WIARD.

Captain ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

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WILLARD'S HOTEL, WASHINGTON, *July* 25, 1862.

SIR: In reference to my communication to the Secretary of the Navy, and his decision that I was to be furnished with two 7½-inch rifles and a proper amount for expenditure to enable me to conduct the experiments therein indicated, I have to request that you will place at my disposal the 5.1-inch steel gun asked for in my note to Captain Harwood, on the conditions mentioned. I also beg to inform you that I have carefully considered the expenditure necessary, and believe it will not be more than the sum of two thousand dollars, ($2, 000,) and of this amount $500 will be expended in building a proper drilling machine for the peculiar kind of work to be done upon the guns, which drill and all apparatus upon which money is expended will be of good quality, and turned over to your charge after the completion of the experiments.

Respectfully,

NORMAN WIARD.

Captain J. A. DAHLGREN,
*Chief of Bureau of Ordnance and Hydrography.*

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NEW YORK, *September* 29, 1862.

SIR: You will confer a favor by designating the disposition to be made of the large rifled guns now at this shop.

I have not the room to spare in which they can be longer stored.

Respectfully,

WILLIAM L. MILLER,
479 *First Avenue, New York City.*

Captain J. A. DAHLGREN,
*Navy Yard, Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, October* 2, 1862.

SIR: Referring to your letter of the 29th ultimo:

Two of the large rifle guns were recently placed at the disposal of Mr. Norman Wiard by the bureau.

If these two guns are in your way, they may be sent to the navy yard (Brooklyn) until Mr. Wiard is ready to use them.

The remaining guns referred to may be shipped through the navy agent at New York to Washington, by water, at the first favorable opportunity.

I am, very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Mr. W. L. MILLER, *New York.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, October* 22, 1862.

SIR: Referring to your letter of the 29th ultimo, relative to the large rifle guns in your shop, and the letter from this office in reply thereto, under date of October 2d, will you please inform the bureau what disposition, if any, has been made of them?

I am, very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Mr. W. L. MILLER,
479 *First Avenue, New York.*

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, October* 22, 1862.

SIR: Inclosed please find copy of a letter addressed to Mr. W L. Miller, by the bureau, in relation to 7¼-inch rifle cannon now at his shop in New York.

I am, very respectfully, your obedient servant,

H. A. WISE,
*Assistant to Bureau*

Mr. NORMAN WIARD,
*Willard's Hotel, Washington, D. C.*

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NEW YORK, *October* 28, 1862.

SIR: The communication from your bureau, of date October 22, has been duly received. The rifled 150-pounder guns have been finished, so far as directed by the bureau. The delivery of the guns has been delayed for two reasons:

First. They have not been inspected.

Second. The amount due for labor upon them has not been paid.

Hoping that your bureau will provide for the removal of these objections.

I remain, yours truly,

WILLIAM L. MILLER.

JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C*

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NEW YORK, *November* 12, 1862.

SIR: I have received no reply to the communication addressed to you, of date October 28th, relating to the 7¼-inch rifles now in my shop. I would respectfully suggest that some disposition be made of the case, as they are occupying room that is worth about three dollars a day; besides which, if the matter remains in its present state, the result will be my financial ruin. Trusting that something may be done in time to avert that, I remain,

Respectfully, yours,

WILLIAM L. MILLER,
479 *First Avenue.*

JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, November* 17, 1862.

SIR: Your note of November 12 has been received. In order to prevent misunderstanding, the bureau finds it necessary to recite the previous correspondence:

*September* 29.—You asked the bureau to designate the disposition to be made of certain guns, as you had not any longer the room to accommodate them in your shop.

*October* 2.—The bureau did as you desired, and "designated the disposition to be made of them."

*October* 22.—Not hearing from you any further, the bureau inquired what had been done in the matter.

*October* 28.—You state that the delivery of the guns has been delayed for the want of inspection, and because the amount due on labor had not been paid.

Now it seems—

1. That the bureau had agreed with N. Wiard only for the finishing of these guns.

2. That Mr. Wiard was paid by the bureau $5,270 for labor on these guns. This was to have been the price for entirely finishing them; they were not entirely finished, and the money was paid because the inspecting officer reported that he thought it had been earned.

It appears, therefore, that the bureau has acquitted itself not only of the obligation incurred, but had gone further and paid for work that remained to be done. It can have no possible cognizance of an agreement made by Mr. Wiard with you.

Meanwhile the bureau, regretting any loss you may have incurred, will direct the guns to be removed, and hopes you will offer no impediment to the resumption of the property by the government.

Very respectfully, your obedient servant,

JOHN A. DAHLGREN,
*Chief of the Bureau.*

Mr. WM. L. MILLER,
479 *First Avenue, New York.*

NEW YORK, *November* 21, 1862.

SIR: Your communication of date November the 17th is duly received. Your summary of the correspondence in relation to these guns was correct. The only misunderstanding is in relation to the *status* of the property and the individuals.

The guns had been finished according to orders for a long time, and occupied room which was much needed for other purposes. The amount due for labor had not been paid to me. It seems that Mr. Wiard received the amount due, but did not appropriate it to the liquidation of the proper indebtedness.

The object of this correspondence was, with the assistance of your demand, to compel him to a settlement at an early date.

The bureau knows only Mr. Wiard in its transaction in relation to these guns, and therefore the bureau must enforce him to make the delivery.

I know the bureau in the transaction only incidentally, not legally. The bureau knows me only in the same capacity. The solution, it seems to me, is simple.

The contract was with Mr. Wiard, and not Mr. Miller.

The bureau paid Mr. Wiard and not Mr. Miller. Let the bureau, therefore, compel Mr. Wiard, the only person known to them, to deliver these guns.

I have no right to deliver them to any person except Mr. Wiard. No person has any right to *demand* from me their delivery except the person from whom they were received. When the bureau enforces Mr. Wiard to deliver these guns, to do so he must make a full settlement with me.

When this is done, the guns will be cheerfully delivered.

It will be plainly seen that my object in first writing to the bureau was, not *that it should demand from me the delivery* of these guns, but that it should make that demand *at an early day* from Mr. Wiard, the only party legally known to the bureau.

The correspondence should be viewed in the light of a request on my part, that the bureau should insist that Mr. Wiard fulfill his obligations by a delivery of the work; this done, he must pay for them, to insure delivery.

I exceedingly regret the trouble which I have made you; but Mr. Wiard being an alien, and a man of no responsibility, this course is the only one left me to pursue.

I will simply add that, should you pursue this course of impartial justice, my case is safe.

With great respect, I remain, yours,

WILLIAM L. MILLER, 479 *First Avenue.*

JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, December* 5, 1862.

SIR: Conformably to contract, the bureau desires you to deliver at the New York navy yard the remaining 7½-inch guns, for finishing which you received payment from the bureau some months since.

Very respectfully, your obedient servant,

JOHN A. DAHLGREN,
*Chief of Bureau.*

Mr. NORMAN WIARD, *New York.*

Date of payment, May 24, 1862.

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, December* 23, 1862

SIR: In October, 1861, the bureau contracted with Mr. Norman Wiard to rifle and deliver at the New York navy yard seven 7½-inch cannon.

Seven gun castings, belonging to the government, were accordingly delivered him for rifling.

In May last he received payment in full for finishing said guns, athough he had delivered but three of them.

It seems that Mr. Wiard employed a Mr. Miller to do some work on these guns, and Mr. Miller refuses to give up the four remaining guns until he is paid for his work, and advertises to sell the guns at public auction on the 6th of January.

A demand has been made upon Mr. Wiard for these guns, to which demand he has made no reply.

In further explanation of the case, are inclosed copies of correspondence with Mr. Miller, Mr. Wiard, and Captain Hitchcock, through whom the bureau made the contract with Mr. Wiard.

In order to prevent this unauthorized appropriation of United States property, the bureau recommends prompt measures for its transfer from the party who has it in possession.

I have the honor to be, very respectfully, your obedient servant,

JNO. A. DAHLGREN,
*Chief of Bureau.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

NAVY DEPARTMENT, *December* 29, 1862.

SIR: Referring to your communication of the 23d instant, relative to the seven 7½ inch guns delivered to Mr. N. Wiard to be rifled, and of which he has returned but three, the remaining four being advertised by Mr. Miller to be sold at public auction on the 6th of January next, you are directed to take such measures as you deem necessary for the transfer of the four guns from the party who has them in possession.

Very respectfully,

GIDEON WELLES,
*Secretary of the Navy.*

Captain JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, March* 31, 1863.

SIR: A copy of your letter of the 28th instant, to the Solicitor of the Treasury, has been transmitted to this bureau, in which you recommend "that proper persons in New York, connected with the Ordnance Bureau, be instructed to remove the guns from the place where they are now lying, and ship them as they may be directed."

In accordance with your recommendation, I have requested Admiral Paulding to send a proper officer to confer with you in reference to the measures to be taken for the removal of the guns.

Very respectfully, your obedient servant,

JNO. A. DAHLGREN,
*Chief of Bureau.*

E. D. SMITH, Esq.,
*U. S. District Attorney for Southern District of New York, New York.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, April* 2, 1863.

SIR: The bureau requests you to send a proper officer to confer with the district attorney, E. D. Smith, esq., in reference to the removal of four 7½-inch cannon, property of the govern ment, but which another party claims a lien upon.

The district attorney has been consulted in the matter, and will give instructions as to what course is to be adopted.

Very respectfully, your obedient servant,

H. A. WISE,
*Assistant of Bureau, for the Chief*

Rear-Admiral HIRAM PAULDING,
*Commandant Navy Yard, New York.*

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NEW YORK, *April* 10, 1863.

SIR: I respectfully protest against the removal by the United States government from my possession of four 7½-inch rifled cannon now on my premises, Nos. 475, 477, and 479 First avenue, in this city, and I claim and insist upon my right to hold said cannon as security for the payment to me of $5,600, being the sum of $5,250 for work upon the said cannon and $350 for storage of the same; and I respectfully demand the payment of the said sum of $5,600 from the government before taking from me the said cannon, should they determine to take the same.

Very respectfully,

WM. L. MILLER.

Captain J. W. A. NICHOLSON, U. S. N

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No. 253.] ORDNANCE OFFICE, NAVY YARD,
*New York, April* 10, 1863.

SIR: Referring to your letter of April 2 to Admiral Paulding, I would report that Lieutenant Commander Meade conferred with the United States district attorney, and reports as follows:

"The matter in dispute is this: Mr. Norman Wiard made a contract with the government to rifle a certain number of Dahlgren guns. He intrusted the work to a Mr. William L. Miller, southwest corner of First avenue and Twenty-ninth street, New York.

'The work was finished, and Mr. Wiard received his pay from the government, but it seems has not paid Mr. Miller, there being some dispute in regard to money transactions between them.

"Mr. Miller claims that he has a legal lien upon the four guns belonging to the government; but the district attorney advises him (Miller) not to press the matter to suit, as he should look to Wiard for his money. Mr. Miller says that government may have the guns, as it is not his wish to embarrass the department by instituting legal proceedings, but that he shall issue his protest," &c., &c.

I am, very respectfully, your obedient servant,

J. W. A. NICHOLSON,
*Commander U. S. N., Assistant Inspector of Ordnance.*

Rear-Admiral JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C.*

Forwarded by Wm. Radford, for the commandant.

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, April* 11, 1863

SIR: A letter of April 10 has been received from Commander Nicholson in reference to the four guns in the possession of William S. Miller, and stating that Mr. Miller will give up the guns, but under protest.

The bureau requests that you will cause the guns to be removed to the New York navy yard.

This removal, of course, is to be made entirely in accordance with the advice and instructions of the district attorney, and not otherwise.

Very respectfully, your obedient servant,

H. A. WISE,
*Assistant to Bureau.*

Rear.Admiral H. PAULDING,
*Commandant Navy Yard, New York.*

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OFFICE OF THE DISTRICT ATTORNEY OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK,
*New York, April* 14, 1863.

DEAR SIR: Notwithstanding the protest of Mr. William L. Miller, I still advise the taking of the guns therein referred to, in accordance with the directions of the ordnance department or bureau at Washington.

I am, sir, very respectfully, yours,

E. DELAFIELD SMITH,
*United States District Attorney.*

Captain J. W. A. NICHOLSON,
*United States Navy.*

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ORDNANCE OFFICE, UNITED STATES NAVY YARD,
*New York, April* 16, 1863.

SIR: You will remove the four guns belonging to the United States government, now in possession of Mr. William L. Miller, of New York city, from his premises to the United States navy yard at this place.

Respectfully, your obedient servant,

J. W. A. NICHOLSON,
*Commander United States Navy.*

Mr. JACOB STRAUT,
*United States Navy.*

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No. 321.] ORDNANCE OFFICE, NAVY YARD,
*New York, May* 9, 1863.

SIR: In reply to your letter of the 7th instant, I report that in obedience to the instructions of the bureau to Admiral Paulding, by letter of 11th April, I directed Lieutenant Commander Meade to consult with the United States district attorney; Mr. Miller was present at the interview, and said that he should not object to the guns being removed by the government, although he should protest. On the 13th ultimo a protest was served on me by Mr. Miller in person, a copy of which accompanies this letter. On the 14th ultimo I again directed Lieutenant Commander Meade to consult the district attorney, and he (the district attorney) wrote me the opinion that also accompanies this letter. Accordingly, on the 16th ultimo, I gave a written order to the master teamster of the yard to remove the guns from Mr. Miller's premises, and bring them to the yard. A copy of this order I also inclose.

Mr. Straut, after going to the premises of Mr. Miller with his teams, was not allowed to

remove the guns. This circumstance I had reported to the district attorney, and he sent word that he would again see Mr. Miller and write to me how to proceed. He has not yet done so, but as soon as he does I will inform the bureau.

I am, very respectfully, your obedient servant,

J. W. A. NICHOLSON,
*Commander U. S. Navy, Assistant Inspector Ordnance.*

Rear-Admiral JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C.*

Forwarded by H. Paulding, commandant.

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No. 336.] ORDNANCE OFFICE, NAVY YARD,
*New York, May* 20, 1863.

SIR: Since my letter No. 321 I have consulted twice through Lieutenant Commander Meade with the United States district attorney relative to the guns in possession of Mr. Miller. The only opinion that Mr. Smith gives is, that he thinks the guns may be obtained from Mr. M. without a suit, but at the same time he gives no instructions how to proceed to get them. My opinion is that Mr. Miller will not give them up without a suit.

I am, very respectfully, your obedient servant,

J. W. A. NICHOLSON,
*Commander U. S. Navy, Assistant Inspector of Ordnance.*

Rear-Admiral DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C.*

Forwarded by H. Paulding, commandant.

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, May* 25, 1863.

SIR: In reference to the four cannon in the possession of Wm. L. Miller, claimed as the property of the United States, heretofore referred to you, Commander Nicholson writes, May 9, that in accordance with your advice and written opinion, he sent a teamster on the 16th of April to remove the guns from the premises of Wm. L. Miller to the navy yard; that, after arriving at the premises of said Miller, he was not allowed to remove the guns; that these facts were reported to you, and that you sent word to Commander Nicholson that you would see Mr. Miller again and write to Commander Nicholson how to proceed.

Again, Commander Nicholson writes, May 20th, that he has consulted you twice through Lieutenant Commander Meade, and that you only give the opinion that the guns may be obtained from Mr. M. without suit, but give no instructions how to proceed.

Instructions have been forwarded Commander Nicholson to consult you as to further proceedings in the matter, and as to the propriety of removing the guns from Mr. Miller's possession *by force*, if necessary, as your letter of the 28th of March to the Solicitor of the Treasury seemed to imply.

Very respectfully, your obedient servant,

H. A. WISE,
*Assistant to Bureau.*

E. D. SMITH, Esq.,
*District Attorney, New York.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, May* 25, 1863.

SIR: Your letter of the 20th instant, in reference to the guns in possession of Mr. W. L Miller, has been received. The bureau desires you to again consult with the United States district attorney as to what further proceedings to take in the matter; and whether it will be proper to remove the guns *by force*. You will proceed, as heretofore, in accordance with his advice. The bureau has to-day written to Mr. Smith upon the subject.

Very respectfully, your obedient servant,

H. A. WISE,
*Assistant to Bureau.*

Commander J. W. A. NICHOLSON,
*Assistant Inspector Ordnance, Navy Yard, New York.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, January* 14, 1864.

SIR: After the lapse of nearly a year, the bureau desires to call your attention to the matter of the four guns in the hands of W. L. Miller. The bureau wrote you on this subject

March 31, 1863, and several conferences were held with you by officers detailed for the purpose by Admiral Paulding. By advices received in June, it appears that your promises to the officers were unfulfilled, and that decision and action on your part were unaccountably delayed.

The bureau now desires to be informed whether any action has been taken by you since that time, and whether you still adhere to the opinion given by you to the Solicitor of the Treasury March 28, 1863, and to this bureau February 27, 1863, viz: that the guns should be taken possession of by the government; and, if this is still your opinion, will you give the necessary instructions to an officer how to proceed in acquiring such possession? If, on the other hand, you think it better to commence suit, will you so advise the bureau? It is a great annoyance to the bureau that this matter should be so long deferred without action.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

E. DELAFIELD SMITH,
*United States District Attorney, New York.*

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[Telegram from Bureau of Ordnance, Navy Department, 23d January, 1864—2.25 p. m.]

To E. DELAFIELD SMITH, Esq.,
*United States District Attorney, New York:*

The bureau desires a reply to its communication of the 14th instant.

H. A. WISE,
*Chief of Bureau.*

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[Copy of telegram received at Washington, dated New York, January 23, 1864.]

H. A. WISE, *Chief Bureau Ordnance, Navy Department:*

I will write fully before Monday.

E. DELAFIELD SMITH.

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OFFICE OF THE DISTRICT ATTORNEY OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK,
*New York, January 25, 1864.*

SIR: I avail myself of the first release from other public business of immediate importance, to answer your letter of the 14th instant. Before doing so, I desired to examine all the correspondence upon the subject of the cannon in the possession of Mr. Miller.

Without entering upon a long statement, I respectfully state that I have pursued the same course with regard to those guns that I should have adopted had they been my own. I have never been in the habit of involving a client in a lawsuit, when his rights could be otherwise properly enforced. I adhere to my views expressed in my letters of February 7 and March 28, 1863, the first to your bureau, and the second to the Solicitor of the Treasury. Inclosed is a copy of a letter from myself to Admiral Dahlgren, dated June 1, 1863, from which you will perceive that the persons sent to obtain the guns neglected to take them because Mr. Miller protested against it.

I have to-day personally advised Commander J. Young to send and take the guns. I send Admiral Paulding a letter, of which a copy is herein inclosed. I have seen Mr. Miller's brother, who says that no physical resistance will be made to the government officers, although he claims a lien upon the property.

Regretting that my efforts to accomplish the wishes of the bureau, without an expensive litigation, should be construed into neglect,

I am, sir, very respectfully, your obedient servant,

E. DELAFIELD SMITH,
*United States District Attorney.*

Rear-Admiral H. A. WISE,
*Chief of Bureau of Ordnance, Navy Department, Washington, D. C.*

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OFFICE OF THE DISTRICT ATTORNEY OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK,
*New York, June 1, 1863.*

SIR: Your letter of the 25th ultimo was received. I was much disappointed when I learned from Commander Nicholson that the person charged by him with the mission of removing the guns from the premises of William L. Miller had returned without obtaining them. Mr. Miller, with the advice of counsel, had served a notice of protest upon the com-

mander, with a view to remove the equitable claim made by him as a lien-holder. Having been advised that his lien was good, he of course would not waive it by actually consenting to the taking of the property; but I am satisfied that the agents of the government would have met with no physical resistance in removing the guns. They appear to have desisted upon the interposition of a mere verbal refusal. Finding the officials so easily kept at bay, they now assume a more belligerent attitude.

I have been very desirous to avoid a lawsuit in this matter. I shall see Miller's counsel again, and I will then advise Commander Nicholson decidedly, or submit the matter to you.

I am, sir, very respectfully, your obedient servant,

E. DELAFIELD SMITH,
*United States District Attorney.*

Rear-Admiral JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C.*

---

OFFICE OF THE DISTRICT ATTORNEY OF THE UNITED STATES
FOR THE SOUTHERN DISTRICT OF NEW YORK,
*New York, January* 25, 1864.

SIR: In an interview at my office, I to-day advised Commander Young to proceed and take the guns belonging to the United States, now in possession of Mr. Miller, at the south-west corner of Twenty-ninth street and First avenue, in this city.

I am assured by Mr. Miller's brother that while the existence of a lien is insisted upon, no physical resistance will be offered.

I recommend that a sufficient force of men be sent to take the guns, and that, without words, they quickly and firmly proceed to accomplish the work.

If the attendance of myself or one of my assistants is desired, one of the men on their way to take the guns may call at my office and we will accompany him.

This thing should be done resolutely and without delay.

I am, sir, very respectfully, your obedient servant,

E. DELAFIELD SMITH,
*United States District Attorney.*

Rear-Admiral PAULDING, *&c., &c., &c.*

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ORDNANCE OFFICE, UNITED STATES NAVY YARD,
*New York, January* 29, 1864.

SIR: In obedience to your orders I proceeded to New York with a gang of men to obtain possession of four 7½-inch rifles in the possession of Mr. William L. Miller. After arriving at his place I had an interview with him, and told him my object; he refused to deliver the guns, but offered no opposition to my taking them. As soon as I could find them I accordingly went to work and brought away the four guns. Mr. Miller stated to me that he thought it hard that after he had done the work not to receive the pay for it, and said further that he thought that the government should have compelled Mr. Norman Wiard to deliver the guns, whereby he would have been able to obtain his money from him.

Mr. E. Delafield Smith, the United States district attorney of New York, accompanied me to Mr. Miller's and advised me what to do. In the performance of the duties, moving the guns, I carried away an iron strap, three sheave blocks, and the truck broke through the floor in two places. I would respectfully suggest that the damages be repaired.

I am, very respectfully, your obedient servant,

W. P. BUCKNER, *Lieutenant.*

Captain E. M. YARD,
*Assistant Inspector of Ordnance, Navy Yard, New York.*

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ORDNANCE OFFICE, UNITED STATES NAVY YARD,
*New York, January* 29, 1864.

SIR: In obedience to an order of the commandant of the yard, founded upon a letter of the United States district attorney for New York, I sent to the shop of Mr. Miller, in New York, and brought to this yard four guns, the property of the United States.

For your better understanding of the case, I inclose herewith the report of the officer who performed the service.

Very respectfully, your obedient servant,

EDWARD M. YARD,
*Inspector of Ordnance.*

Commander HENRY A. WISE,
*Chief of Bureau of Ordnance, Washington, D. C.*

Forwarded by H. Paulding, commandant.

ORDNANCE OFFICE, UNITED STATES NAVY YARD
*New York, May* 3, 1864.

SIR: The bureau's telegram of yesterday was received last evening. In answer I have to state that the guns referred to, four 7½-inch rifles, were brought from the workshop of Mr. W. L. Miller, in the city of New York, to the navy yard, on the 29th January last, and the facts of the case reported to the bureau by letter of that date, No. 55.

Three of the guns are rifled and one is not.

Very respectfully, your obedient servant,

EDWARD M. YARD,
*Inspector of Ordnance.*

Commander HENRY A. WISE,
*Chief of Bureau of Ordnance, Navy Department, Washington, D. C.*

Forwarded by H. Paulding, Commandant.

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Two fired 10 times each, and presented no appearance of damage. These two guns were landed by Mr. Wiard at the New York navy yard, and were never received by the government. By an oversight they were sold, with other superfluous stock; one was recovered and returned to the New York navy yard, where it now is at the disposal of Mr. Wiard, together with the one paid for by the United States, in place of the one which could not be recovered after the accidental sale.

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WASHINGTON, *July* 30, 1861.

SIR: In answer to a conversation with you in relation to the number of 50-pounder and other sizes of steel-rifled cannon which can be furnished per week, I beg to state that after a conversation with Messrs. Tugnot, Dally & Company we are prepared to say that we can make and finish eight 50-pounders and 12 12-pounders per week, and commence to deliver the 12-pounders within 10 days from date of the contract, and the larger ones (50-pounders) within 15 to 20 days, provided an order is for say 100 of the 50-pounders, and for as many of the 12-pounders as the department may choose to name. The price to be as understood in conversation, viz, 85 cents per pound, and to be made after the designs furnished by the department.

Hotchkiss shot and shell—100 rounds for each gun—will be furnished at the manufacturer's prices, the exact figure for which cannot be given until the precise size of the bore of the gun is known.

NORMAN WIARD.

Captain HARWOOD,
*Chief of Ordnance Bureau, Navy Department.*

---

WASHINGTON, *July* 31, 1861.

SIR: To conform to your suggestion expressed this morning with regard to the manufacture of steel rifled cannon, I propose to commence the manufacture at once, as heretofore proposed in my last communication, but with this modification, viz, that I will give you notice of the completion of the forging of each five guns of the size of 50-pounders, conceding to you the right to then stop the work. If you do not then give me notice to stop, I will go on with another lot of five, giving you notice of the completion of the forging of each lot of five, and conceding to you the right to stop the work after the completion of the forging of any lot of five, (each lot of five so forged, however, to be finished and delivered for inspection.)

Otherwise the memorandums made heretofore to be the terms of the contract.

I have the impression that the object of the government is to have me produce these guns as fast as the capacity of the establishment will permit, and this would be defeated if I had to cease work too often to wait for orders.

Under this proposal, by taking some risk, the establishment can be kept employed and produce the guns as fast as proposed as long as they are required by the government.

Yours, truly,

NORMAN WIARD.

Captain HARWOOD,
*Chief of Ordnance Bureau, Navy Department.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, August* 1, 1861.

SIR: In answer to your proposals of yesterday's date, I have to inform you that the bureau, being desirous of procuring rifle cannon for the use of the navy at the shortest possible notice, will purchase guns of your fabrication of semi-steel, *provided:*

1. That the guns made shall conform strictly to the directions and drawings herewith presented.

2. If you will offer five guns, made as above stipulated, the bureau will receive them, subject to proper inspection, and, if accepted, pay you at the rate of 85 cents per pound.

3. It is to be distinctly understood that the bureau is to be the judge of your compliance with the conditions of the agreement, and binds itself to the purchase of no more than may be ordered from time to time.

You will please notify the bureau if you accept the terms herein specified.

Very respectfully,

ANDW. A. HARWOOD,
*Chief of Bureau.*

Mr. NORMAN WIARD,
*Washington, D. C.*

WASHINGTON, *August* 1, 1861.

SIR: I have accepted the terms upon which you have signified your intention to employ me, with the establishments I represent, in the manufacture of steel rifled cannon. But as the production of 50-pounders leaves a large part of our machinery adapted to the manufacture of smaller guns unemployed, the occupation of which would not interfere at all with the manufacture of the large guns, I have to ask that you give me an order for the manufacture of such proportion of 12-pounder rifle howitzers and carriages (or without carriages) as the exigencies of the service and the interests of the government will permit, subject to such conditions as your foresight suggests as necessary.

Yours truly,

NORMAN WIARD.

Captain HARWOOD, U. S. N.,
*Chief of Ordnance Bureau, Navy Department.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, August* 6, 1861.

SIR: Herewith you will find transmitted a draft of gun to be made, according to your agreement, of semi-steel.

It is desirable that the bureau should have, after the first gun is finished, specimens by which the tenacity and density of the metal may be established.

Care must be taken in the fabrication to verify the preponderance of the breech for about 700 pounds before furnishing the trunnions.

Very respectfully, your obedient servant,

A. A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq.,
*No.* 136 *East Thirty-third Street, New York.*

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No. 136 EAST THIRTY-THIRD STREET,
*New York, August* 7, 1861.

SIR: Yours of the 5th instant, suggesting my furnishing specimens of steel for test, and notifying me of the necessary preponderance of the breech of guns, is received. I have also received the draft of gun.

I will be in Washington on Friday and will call upon you.

Yours truly,

NORMAN WIARD.

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Navy Department.*

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WASHINGTON, *August* 9, 1861.

SIR: My visit to New York has resulted in my being able to offer you steel rifle cannon at a price that is much lower than the prices heretofore proposed on my part, and this reduction has been resolved upon from a more favorable arrangement made with the parties employed in the business, and from the confidence I have that the exigencies of the service will require a sufficient number of guns ,small and large, to enable me to keep the factories exclusively and fully occupied.

For guns of 23 inches, largest diameter, 90 cents per pound; for guns of 20 to 22 inches, largest diameter, 80 cents per pound; for guns of 16 to 20 inches, largest diameter, 65 cents per pound; for guns of 9 to 16 inches, largest diameter, 55 cents per pound.

These prices are for all guns for which I receive orders hereafter, but are not intended to affect the price of the first five guns for which I now have your order; however, after the completion of the first five, the price will be reduced from 85 cents per pound to 80 cents per pound.

Twelve-pounder howitzers of less diameter than 16 inches are now offered you for 55 cents per pound.

I wish to have permission to offer a part of the first lot of small guns you may order made of cast-steel, (solid ingots.) I have made a few of these guns and I think they have superior qualities. I can furnish them at the same price.

Yours truly,

NORMAN WIARD.

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Navy Department.*

WASHINGTON, *August* 9, 1861.

SIR: I wish to have particular instructions what plan to adopt in putting on the trunnions, sight, and lock pieces, on the steel cannon for which I have received the drawing showing them to form a part of the forging.

If these parts are forged on, the gun cannot be hammered to the same uniform density as it can if some other plan is adopted.

If the trunnions are shrunk on with a band, the seat for the band must either be reduced in size or the outline of the gun be changed, to both of which plans there may be objections. I am of opinion that the gun, as shown by the drawing, has a desirable form as it is, that should be adhered to if possible, and I think it objectionable to weld or forge on the trunnions or other projections. I would suggest that I should either be permitted to adopt the breeching-strap plan of applying the trunnions, or that the drawing be altered for the application of that plan, and that I be permitted to furnish the gun without the trunnions; the trunnions to be afterward attached at the navy yard, as I believe they can be, within the cost of 85 cents per pound.

Also, that I may be permitted to attach the sight and lock pieces (in any manner you suggest) upon the finished surface of the gun.

And that you will indicate whether you wish me to rifle the guns or no, as the drawing does not show the rifling.

Yours truly,

NORMAN WIARD.

Captain HARWOOD.

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, August* 12, 1861.

SIR: I have received your letter of the 9th instant, requesting instructions in reference to putting on the trunnions, sight, and lock pieces on the steel guns you have engaged to make.

In reply, the bureau authorizes you to use the breeching-strap plan contrived by Commander Dahlgren, and wishes you to understand that the welding or forging on the trunnions or other projectiles is not approved. The lock-lugs and sight-masses may be screwed on.

While, as I explained to you, it would be impossible for the bureau to state the exact number of rifle cannon and howitzers required, I take this opportunity to repeat to you that a large number will be wanted, and as they are wanted directly, the establishment which can make them quickest and of good quality will have the most to do. The order will be renewed as soon as the bureau hears from you of the completion of each batch of five of the large guns, and it will be the same case in regard to the howitzers, provided you can carry on the work at both at the same time without retarding the delivery of the large guns, which will be most wanted.

Very respectfully, your obedient servant,

ANDW. A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq.,
*No.* 136 *East Thirty-third Street, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, August* 14, 1861.

SIR: You will herewith receive a copy of the drawing of a steel cannon of 5-inch bore to supply the lost draft. The drawing now sent you shows the manner of attaching the trunnions by strap to the guns.

You will please take particular notice that the left vent must not be bored more than an inch from the outside, just enough, in fact, to give the proper direction whenever it may be necessary to bore this second vent through.

Very respectfully, your obedient servant,

ANDW. A. HARWOOD,
*Chief of Bureau.*

Mr. NORMAN WIARD,
*No.* 136 *East Thirty-third Street, New York.*

P. S.—Please acknowledge the receipt of this drawing.

A. A. H.

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NO. 136 EAST THIRTY-THIRD STREET,
*New York, August* 16, 1861.

DEAR SIR: Yours of the 14th instant and the accompanying drawings was duly received to-day. The requirements indicated therein will be attended to.

We have commenced the forging of the first large gun this afternoon. I have not yet

received the 12-pounder howitzer. Commodore Dahlgren informed me he would send me a trunnion casting and a standard size elevating screw. I have not yet received them.

Yours truly,

NORMAN WIARD.

Captain ANDW. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Washington.*

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No. 136 EAST THIRTY-THIRD STREET,
*New York, August* 16, 1861.

SIR: You mentioned to me at one time that you would probably order from me 100 round Hotchkiss shot and 100 round Hotchkiss shell with each of the steel guns I am now engaged upon. I wish to suggest that some time is required to supply shot and shell, and to request you to give me the order. They will be furnished to you at the maker's price, and if ordered through me may be shipped at the same time as the guns, or as you direct.

Yours truly,

NORMAN WIARD.

Captain ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Washington.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, August* 19, 1861.

SIR: Your communication of the 16th instant is received. You will please prepare the following quantities of Hotchkiss projectiles to await the orders of the bureau:

One hundred (100) projectiles (hollow) per gun, making, in all, five hundred (500;) fifty (50) projectiles (solid) for proving the five steel cannon.

Very respectfully, your obedient servant,

ANDW. A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq.,
*No.* 136 *East Thirty-third Street, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, August* 24, 1861.

SIR: Your communication in reference to rifled cannon, dated 22d instant, is received.

The inspector of ordnance, Commander Hitchcock, has been directed to proceed to New York and is charged with full authority from the bureau in relation to the rifled cannon, and you will not continue the fabrication of the 50-pounder guns beyond the five already ordered.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

Mr. NORMAN WIARD,
136 *East Thirty-third Street, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, August* 28, 1861.

SIR: In assenting to the making of five more steel guns by your establishment, it was understood between us that the guns made under this new order are to be paid for according to the reduced rates proposed by you, viz: 80 cents per pound.

I must also remark that the reception of these guns depends, necessarily, upon the proof, and therefore any expedition which may seem desirable to the manufacturers is entirely at their own risk.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau.*

Mr. NORMAN WIARD,
136 *East Thirty-third Street, New York.*

BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, August* 30, 1861.

SIR: Your telegraph was replied to on all points except with reference to firing the Wiard steel gun 500 rounds.

1. The bureau leaves to your discretion the number of times which you may deem essential for the above guns to be fired.

2. Messrs. Brown & Co., of Peekskill, have agreed to the delay in delivering their quota of shells, so as to enable Mr. Seymour to bouche the shells before being shipped to New York. A set of instruments for the work has been ordered from this yard.

3. Should you deem advisable, the bureau would have no objections, with the consent of Mr. Parrott, to have the shells from the Cold Spring foundry forwarded for bouching to Mr. Seymour, under the same conditions as those from the Messrs. Brown, and in case the arrangement can be made, you will please give the requisite directions to have the work executed.

4. The ordnance propeller Hale is now at the navy yard, New York, and will be ready in a very short time for service. The bureau will request the commandant to place her under your orders, and should there be any ordnance ready at Cold Spring for Washington, the vessel should be employed in the transportation.

Very respectfully, your obedient servant,

ANDREW A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, Cold Spring.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, August* 30, 1861.

SIR: The bureau herewith incloses a sketch for the grooves and rifling of the 50-pounder guns now being fabricated under your direction.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

Mr. NORMAN WIARD, *New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, September* 17, 1861.

SIR: Your telegrams and letters from Boston have been duly received, and the energy with which you have conducted the large amount of ordnance work required upon the guns of the Pensacola's battery is entirely approved by the bureau.

1. Your instructions to Commander Taylor to remain until further orders at Boston are approved.

2. When you have dispatched the remaining 9-inch guns from Boston, you will proceed to New York and begin the inspection and proof of the semi-steel cannon fabricated by Wiard.

3. You will likewise send the pattern rifled bronze howitzer, now at the Franklin forge, to the New York yard, where a field and boat equipment has been ordered for it.

4. The work at the Cold Spring foundry is going on in a satisfactory manner, and the bureau will apprise you should your services be required there.

5. The bureau requests you to send to Commander Drayton, from whatever point you deem expedient, the proper inspecting instruments for the trial 9-inch made by Seyfert & McManus.

6. The Hale has been ordered back to Boston, and Commander Green has instructions in regard to the freight she is to take on board.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, Boston.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, September* 24, 1861.

SIR: On your return to New York, please inform the bureau what facilities there may be for carrying one of the 50-pounder semi-steel guns made by Wiard, to extreme proof.

The ordinary charge of powder for the rifled cannon, designed by Commander Dahlgren, will be one-twelfth the weight of projectile.

Very respectfully, your obedient servant,

ANDREW A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, Continental Hotel, Philadelphia.*

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ALBEMARLE HOTEL, *New York, September* 26, 1861.

SIR: Your order of September 24 is received. Arrangements have been made to fire the steel gun of Mr. Wiard, at Staten island. Mr. W. has made the necessary preparations at my request. Com. Breese will furnish a boat to take down the powder, &c.

My intentions are to fire 500 rounds, with a charge of powder equal to that of Parrott's gun—which is greater than that which Commander Dahlgren proposes—and Hotchkiss shells. This is agreeable to Mr. Wiard. He would prefer that his gun should be more severely tried.

We trust to use the shells more than once.

No delay has taken place in the proof of this gun, by my going to Philadelphia. I will keep you informed of what is done with the gun.

I shall be pleased to receive your orders for anything you may wish done with the gun.

The proof of the howitzers I have not determined upon. Should be pleased to hear from you in relation to them.

Respectfully,

R. B. HITCHCOCK.

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, September* 28, 1861.

SIR: I have received your letter of the 26th instant, in relation to the extreme proof of the semi-steel gun made by Mr. Wiard.

The proposition to change the proof which is to be established for other guns of the same class, appears to me objectionable in this respect: that it does not afford the means of comparison between the cast-iron, wrought-iron, and semi-steel guns, which would lead to a just appreciation of their relative value.

This value, it is true, might be established by subsequent uniform trial, but the expense of extreme proof is a material objection to its being repeated.

The Hotchkiss shell being used in the rifle guns generally, may be employed if you prefer them, or in case they may be more readily procured.

The usual proof is one pound of powder and 10 rounds for howitzers.

Very respectfully, your obedient servant,

ANDREW A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Albemarle Hotel, New York.*

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NEW YORK, *September* 28.

DEAR SIR: Do you not think that more fuses of 15 seconds should be allowed to the pivot gun of the gunboats?

I am doing all I can to get the gun of Wiard's; they work night and day. It would have been ready on Monday but for the breaking of the lathe. When I get hold of it, you shall have no cause to complain that we do not go ahead. If the gun proves good, there will be four ready for us. The proof of these will have to be considered

Truly yours,

R. B. HITCHCOCK.

Captain HARWOOD.

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NEW YORK, *September* 30, 1861—6 p. m.

SIR: I have just received your letters of the 28th; they will have attention.

I have been frequently at the yard, and think that Captain Gansevoort is doing all that he can do to push on the work, but in the morning I will look into it with care. Vessels that come to the yard are not all ready to take their guns on board; there are many little

things which have to be done to them; for instance, when the first gunboat came, the guns were ready, but the circles and sockets had to be fitted to her, and I do not think the last work done on her was *ordnance*.

Some of the *sailing* vessels I know are waiting for their guns to be sighted; and Captain Gansevoort told me he kept eight in hand all the time.

The steamers have had the first attention.

The amount of work at this yard is very great, and I hope that I will find that your department is not at fault.

In relation to the proof of the first gun of Mr. Wiard's, I thought that if it was not injured by 500 rounds of 5½ pounds of No. 7 powder, it might still be of service; if fired 1,000 rounds, it would not do to use it. As the gun is new to us, your decision is no doubt right.

Please inform me what means are used to verify the bore of rifled guns.

I am fitting the star-gauge to use in the gun. What success I will have I do not know.

I will inform you to-morrow how things stand at the yard.

Respectfully,

R. B. HITCHCOCK.

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance, &c., &c.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, October* 8, 1861.

SIR: Your letter of the 6th instant is this day received.

1. The bureau desires you, at the first convenient opportunity, to request the collector at the port of New York to furnish you with copies of the *original* invoices of cartridge-bag material from the English manufactories, or shippers of that article, which have been purchased at 5 per cent. commission, free of duty, from the inspectors in New York, for this bureau.

So far as has thus far been ascertained, by examination of the papers of the Boston firm, their profits must have been not less than 70 per cent., and it is altogether probable that by collusion between the Boston and New York firms, the profits of the latter have been the same, notwithstanding their positive verbal assurances to this bureau that they only did the business as importers for the government at a commission of 5 per cent.

This assurance, which cannot inferentially have had any foundation in truth, is clearly disproved by facts disclosed in the case of the Boston firm, where the *original* invoice of the English shippers shows on one lot of stuff $10,000, and that of Milton, Cushman & Co., on the same lot, near $17,000!

2. With reference to the trial of Wiard's gun, the bureau is of the opinion that 200 fires might be sufficient; but if you deem expedient for relative comparison with other guns, the experiments may go up to 500 rounds and there cease.

3. Inclosed is the account of the Fort Pitt foundry for labor, fixtures and other expenses connected with their trial 9-inch guns.

4. You will please communicate with the Cold Spring founders, and inform yourself when the first 7½-inch rifle gun will be ready for proof, as the bureau desires you to be at that foundry to conduct the above duty.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, Albemarle Hotel, New York.*

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NEW YORK, *October* 16, 1861.

SIR: The semi-steel gun of Mr. Norman Wiard has been fired 350 times, with five pounds of No. 7 powder, and one of Hotchkiss projectiles. The rifling and bore exhibit very little wear. The interior vent enlarged to sixty-five hundredths, (.65) and the exterior vent to forty-five hundredths (.45). The vent is the most defective part of the gun; its appearance after the firing is peculiar; with a strong light thrown into the bore, and looking down the vent, the crystallization of the iron is strongly shown, very bright, and closely resembling a fracture of iron; the enlargement of the whole length of the vent also differs from that of cast-iron guns, the difference in this gun being but about two-tenths (.2).

The measurements of the gun before firing were all within the prescribed limits.

The first trunnion-strap broke at the 40th fire, the bronze was not of good quality; a second was put on the gun, and the recoil brought upon the trunnions, which stood perfectly.

A small cavity is in the breech of the gun, about six-tenths of an inch deep, also a dark spot near the bottom of the bore; both I suppose to be from improper welding; but no change was produced in them by the firing. The gun does not exhibit any effect of the firing, except in the vent.

Should it be your pleasure to accept the guns of Mr. Wiard, will you please inform him, so that he may put the 50-pounder and howitzer on the proving ground at once.

A more detailed report will be made. About 146 shot and shell have been expended, but until a further examination is made of those remaining, which have been fired, it is impossible to state how many of them are broken.

I send by express an impression of the interior vent at the close of the firing.

Very respectfully, your obedient servant,

R. B. HITCHCOCK,
*Inspector United States Navy.*

Captain HARWOOD,
*Chief of Bureau of Ordnance, &c.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, October* 18, 1861.

SIR: 1. Your report upon the trial semi-steel gun, made by Norman Wiard, is this day received, and as you will remark by the inclosed letter, (copy,) the bureau accepts the gun, and has directed the remaining portion of the order to be completed at once.

2. You will please inform Mr. Wiard that all cavities, such as indicated in your report, must, for the future, not pass inspection.

3. In addition to the semi-steel rifles heretofore designed for vessels fitting for service, *two* more are to be taken for two ferry-boats just purchased for river service, to be mounted on pivots, for which orders have been issued to the ordnance officer of the New York yard.

4. Projectiles for the above-named rifles will be supplied after the matter has been referred to Commander Dahlgren.

5. Your telegram of yesterday's date is likewise received, referring to the finishing of the 7½-inch and 11-inch gun blocks in New York city.

6. The bureau has already clearly expressed its views to you on this subject, and you are now authorized to enter into any agreement you deem expedient in the premises, either with Mr. Wiard, or other responsible parties, to have the work executed in the most expeditious manner, so as to conduce to the best interests of the government.

7. The bureau telegraphed you this a. m. to inquire how many gun blocks the Cold Spring foundry could supply without in the least interfering with the navy work going on in the machine shop. If, however, a sufficient quantity cannot be supplied to meet the requirements of the parties in New York, the bureau has reason to believe that the want may be filled from the Fort Pitt foundry.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, Cold Spring Foundry, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, October* 18, 1861.

SIR: The bureau accepts the trial gun recently fired by the inspector of ordnance, and you are requested to complete the remaining 50-pounders with all possible dispatch.

As soon as the guns are inspected and proved, they are to be delivered at the New York navy yard.

With reference to your proposition for finishing 7½-inch rifles and 11-inch shell guns from rough castings, the bureau will authorize Commander Hitchcock to make whatever arrangements he may deem expedient, in view of carrying out the interests of the government, and he will likewise be directed to communicate with you on the subject.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

Mr. NORMAN WIARD,
316 *East Thirty-third Street, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, October* 28, 1861.

SIR: Before a bouching is put into the steel trial gun, made by Mr. Wiard, I wish you to ascertain that it will entirely comprise the fissure, which, by the impression forwarded by you, appeared to be extended from the interior orifice. This point should be critically examined before any further expense is incurred to fit the piece for service.

Very respectfully, your obedient servant,

A. A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, October* 31, 1861.

SIR: Your communication of yesterday's date is received.

1. The bureau is clearly of the opinion that Mr. Wiard should bear the entire expense of bouching the 50-pounder guns, since the the steel vents, under repeated fires, show conclusively that the enlargement would become so great as to render the pieces partially unserviceable.

2. The prices assumed by Mr. Bigler for bronze work pertaining to pivot carriages seem reasonable, and the bureau approves them.

3. The transporting trucks are certainly a part of the carriage.

4. Two 24-pounder howitzers are ordered delivered at New York, and two more at Philadelphia, from the revenue cutters, which guns formerly were mounted on the Harriet Lane. Five other 24-pounders are reported nearly ready for inspection at Alger's foundry. Mr. Ames has not as yet reported.

5. The bureau desires you not to go to Boston and Portsmouth, as your services at this time are of more importance at New York and Cold Spring.

Very respectfully,

A. A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

P. S.—A plan of army 42-cwt. carriages will be forwarded, and likewise the projection of Parrott's 100-pounder.

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, October* 31, 1861.

SIR; Inclosed you will find approved bills on the navy agent, New York, for $6,329 31 for invoice of steel gun, ammunition, labor, &c., of 21st instant.

Very respectfully, your obedient servant,

ANDREW A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq.,
*No.* 136 *East Thirty-third Street, New York.*

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[Telegram.]

BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, D. C., November* 11—1 p. m.

Captain DAHLGREN, *Navy Yard:*

Can you send Mr. Wiard the straps and trunnions for ten (10) 50-pounders?

A. A. HARWOOD.

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[Telegram.]

NOVEMBER 11—4 p. m.

NORMAN WIARD, 136 *East Thirty-third Street, New York:*

The carriages for a rifle howitzer go by express to-morrow to New York navy yard, and authority given to permit you to take them for pattern; likewise two sets of trunnion straps to you for 50-pounders, and eight more will follow, together with those for the 7½-inch rifles.

H. A. WISE,
*Assistant Inspector Ordnance.*

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NEW YORK, *November* 12, 1861.

SIR: The telegram of Lieutenant H. A. Wise, assistant inspector of ordnance, of yesterday. informs me that trunnion straps for 5.1-inch steel rifles have been forwarded to me.

I have induced one of my associates to incur considerable expense in preparing a furnace after the model of the Washington furnace for the purpose of making the trunnions. He has continued experiments at a great expense, having cast about 20 pieces, five of which I am of opinion are of the proper tenacity, although I acknowledge he has not yet attained the density I hope to yet attain. I made application to you for the composition of metal used at the navy yard, that I might be able to decide whether I was to look for improvement in the furnace or

in the moulding; and I am concerned to find that you have chosen rather to forward castings than the recipe for the composition; as, although, if the founder should finally fail to attain the proper quality of casting, it would not be my loss, yet, if I should refuse to let him continue his experiments, he could of right charge me with the cost up to this time, and I should thereby be embarrassed.

It was according to my agreement with Captain Hitchcock that you should have the option of furnishing the trunnions for the 7½-inch rifles, charging me 35 cents per pound for them; but I have not before had any intimation that I could avoid casting the trunnions for the 5.1-inch steel guns.

Respectfully,

NORMAN WIARD.

Captain A. A. HARWOOD,
*Chief Bureau Ordnance and Hydrography,*
*Navy Department, Washington.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, November* 14, 1861.

SIR: 1. You will please inform Mr. Wiard, in reply to his letter of the 12th instant, that the bureau only directed the trunnion castings for the 5.1-inch rifles to be forwarded under the impression that he could *not* make bronze of sufficient strength for the purpose.

2. If, however, the fact should be otherwise, and he *can* make the straps and trunnions, the bureau will be satisfied; and meanwhile the two straps already forwarded may remain to meet an emergency, should such arise.

3. You will likewise inform Mr. Wiard, in reply to his request to be furnished with the "composition of metal used at the navy yard," that no information of the sort, in the power of the bureau to supply, would be of essential aid to a bronze-founder. What is of far greater importance is the construction of the furnace, and then the manner of treating the metal during the fusion and in the bath; and no mere written or verbal instructions will afford information which always has been, and probably always will be, only acquired by actual practical experience.

Very respectfully,

A. A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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NEW YORK, *November* 28, 1861.

SIR: Yesterday (November 27) I commenced the firing of the semi-steel 5.1-inch (50-pounder) made under contract with N. Wiard. No. 4 was fired 10 rounds with five pounds powder (No. 7) and one of Hotchkiss's shell, without injury to the gun, so far as I have yet ascertained.

No. 2 was next suspended and fired in the same manner as No. 4; it burst on the 10th round. The gun broke into three pieces, the fracture extending in a line along the right trunnion strap, and about four inches below the left, to the trunnions, where it broke off, the fracture on the chase extending in a wedge form between the two pieces of the cylinder—on the upper side nine inches, on the lower side 15 inches. The upper fragment of the cylinder of the gun rose about 10 feet, struck the shear leg, and fell back, so that the three pieces of the gun were close together. A small piece of about a pound weight flew some 10 or 12 feet to the left and a little before the trunnions.

The fractures are sharp and rough; no indications of imperfect welding. The interior vent is perfect, and exhibits clever workmanship in bouching. The rifling is good; no marks are left of action of projectiles on the "lands." The trunnion strap broke at nine and 15 inches on either side of cascabel; a partial fracture at four inches from right trunnion; the bolts which secured the parts of the trunnions together were all broken; the sight strap broke at the screw-holes of both after legs; and the screws broke off the forward ones. The indications are that the bronze was tough and good. The small piece, and two others which I broke from the large fragment, I have sent to you.

Mr. Stellwagen reported for duty yesterday.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance, United States Navy.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography,*
*United States Navy, Washington.*

GRAMERCY PARK HOTEL, NEW YORK, *November* 29, 1861.

SIR: Your order of the 28th received. I am sorry not to have your opinion of Wiard's guns. I am going on with the proof. I made further examination of No. 1 5.1 trial gun—Wiard's—and find that it will require a bouche or plug of 1 1-16 inch at the interior vent to obtain sound iron. I have no doubt of a plug being fitted to secure the vent; the question, I think, is, what will be the effect upon the gun of so large a hole cut through it.

The army quartermaster here dislikes very much sending *large* articles for us; he thinks we might look out for our own transportation. I would suggest that an order from the Quartermaster General be sent here for any article you may wish forwarded. The 7½-inch block can only be sent by some large vessel or by rail.

There is trouble here in relation to the finishing of the 7½-inch blocks: some of the owners of lathes which Mr. Wiard engaged are disposed to take advantage of what they think a necessity, and now ask more than he contracted to do the work for. I think it will not be best to send any more blocks here from Pittsburg at present.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance, United States Navy.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, November* 30, 1861.

SIR: Your letter in relation to the breaking, under fire, of the semi-steel 50-pounder rifle, made by Mr. Wiard, is this day received.

The bureau desires to be informed if, in your judgment, the remaining guns of that construction, should they pass the service proof, *would be safe* to put in service.

You are authorized to put the guns to any additional proof you may deem advisable, in view of ascertaining, if possible, their uniform strength.

Very respectfully,

A. A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, December* 1, 1861.

SIR: Your communication of the 29th is this day received.

With reference to the enlarged vent of the 5-inch semi-steel gun, the bureau would suggest that the same plan be adopted as that prescribed for the 7½-inch, at Cold Spring, viz: to plug up the original vent, open the one on the opposite side, bouche and fire it.

In regard to the trouble of finishing the 7½-inch rifles in New York, you will please exercise your own discretion in the matter, under the sanction of the bureau.

Very respectfully,

A. A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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NEW YORK, *December* 1, 1861.

DEAR CAPTAIN: I have your letter of the 30th. I do not know what to say about these Wiard guns, or what to do. Yesterday the fragments were brought up to the city, and I spent hours over them. There are some places where the *welds* are not perfect; but the fracture does not look as if it had been governed by them. I think you will judge by the pieces, as I do, that the iron appears strong, yet the break-up was a decided one; it throws a doubt over all the guns. I will go on firing the 10 rounds with two or three more, and in the meantime try to think what is best to be done.

More trouble has come upon us. The *three* lathes of Carpenter and Plass are at work upon the 7½-inch block, but the owner of the other lathes, which Mr. Wiard had the promise of to do the work, now ask more than Mr. W. engaged to do the work for. Work for large lathes is now abundant, and no one seems disposed to take hold of the gun at a reasonable price.

Until we can find some one to take the gun, I think it will be the best to stop sending them here. There are five already here.

Mr. Jackson says he will put up three lathes if we can give him work enough to make it an object for him to do so. It would take a month to get these lathes at work.

My cold has increased, by passing a day in the rain on Staten Island, until I have lost the use of my voice. This *you* may think a good thing; *but I like to talk.* Last night I gave up and said sick at last; to-day I have not left my room, and not much of the time my bed. To-morrow I intend to go to the island, and, perhaps, by night shall be like the "busted" gun, gone and good for nothing.

I am very glad to have Mr. Stellwagen; if I can only get well I will make use of him.

Will you please send me an *official* order to go to Cold Spring, so that I may get my traveling expenses; and also let one of the clerks make out a bill, for you to approve and order paid here, for the following:

| | |
|---|---|
| Paid on 32 telegrams, for delivery, 13 cents each | $4 16 |
| Drawings and instructions sent from Pittsburg to Philadelphia and New York | 1 37 |
| Telegram to Drayton | 1 12 |
| Telegram to Mullany | 92 |
| Knap and Rudd | 4 20 |
| Parrott | 3 50 |
| Postage stamps | 2 00 |
| | 17 27 |

This account is for the past two months, or since I left Washington. It is not all I have expended, but all I have made a note of.

I do not put it in official form, so that you can throw it one side if you do not like it.

Truly yours,

R. B. HITCHCOCK.

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GRAMERCY PARK HOTEL, *New York, December* 5, 1861.

SIR: Your order of December 3. with drawing of 4 4-10-inch rifled gun, are received.

Mr. Parrott is much in want of straps for the 7½-inch gun. The straps last sent here for Mr. Wiard are for 5 1-10-inch guns. As we do not require them, I shall send them to the navy yard; but we do require straps for 7½-inch guns. The castings for the 7½-inch gun sent to Mr. Parrott were not full enough in the trunnions to leave the trunnion of the required size and make a smooth surface in turning down. Permit me to say that the straps for the 7½-inch gun look very light.

I have not been able to secure but *three* lathes in New York, though I am still in search of more. Yesterday I continued the firing of Wiard's guns at Staten island. No. 3, 50-pounder, had a portion of one of the *lands*, (some two or three inches,) about 10 inches from the muzzle, removed on the first fire; the remaining nine rounds developed other reasons why the gun should not be received. Five of the 12-pounder howitzers have been fired, and the water-proof only remains to be applied. I send the bill and receipt of delivery to the vessel, which is to take it on its way to Washington, of the lathe furnished by Mr. Danvers. Please notify me when you send him the bills.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance, United States Navy.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Washington City, D. C.*

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ORDNANCE OFFICE, NAVY YARD,
*New York, December* 5, 1861.

SIR: Mr. Norman Wiard has delivered to the yard two 50-pounder rifled cannon of 5.1-inch bore, trunnions 6½-inch, which are 1½-inch greater in diameter than is shown in the drawings received from Washington. Ten (10) carriages for this class of gun have already been completed, allowing for trunnions 5.25 inches. In order that I may alter these carriages, and cast other cap squares, I would respectfully ask to be informed if all guns of this class will have the same size trunnions, 6½ inches.

I have the honor to be, very respectfully,

GUERT GANSEVOORT,
*Commander, in charge of Ordnance.*

ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Washington, D. C.*

NEW YORK, *December* 6, 1861.

SIR: Your order of the 4th received. Please inform me what projectiles shall be used in the "prolonged proof" of the 7½-inch rifle gun at Cold Spring; their weight, and where they shall be obtained. You are aware that the proof of these guns has thus far been before rifling, and with cylinders cast and turned by Mr. Parrott.

Information received from Mr. Rudd, of the Fort Pitt foundry, caused me to re-examine the two 9-inch guns lately inspected by me, and which have been sent to this yard; I find the right trunnion "cracked" close to the rim base of foundry No. 604, which renders the gun unserviceable. I regret having made so great an oversight. Lieutenant Renshaw has been requested to look for the same defect in the two guns sent to Philadelphia.

Captain Gansevoort has recovered all but three of the shells which sunk with the launch. Please inform him if any of the rifle shells sent from Washington are loaded. I presume not, but prefer to be certain. I am still at work with the Wiard guns, but expect to go to Cold Spring to-morrow to fire the 30-pounder and make arrangements for firing the 7½ inch. I have endeavored to make the water-proof of Wiard's guns without obtaining a new pump, but having failed, have ordered one, and beg your approval.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Washington City, D. C.*

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ORDNANCE OFFICE, NAVY YARD,
*New York, December* 6, 1861.

SIR: I have the honor to report the marks and numbers of the following guns received at and expended from this station:

From Norman Wiard—50-pounder rifle, 5.1-inch bore; number 6, Wiard, 5678-I. B. S. 5.1, 1861.

The gun of this class previously reported, weighing 5,700 pounds, is numbered four. These two guns, by order of Commander Hitchcock, have not been received.

GUERT GANSEVOORT,
*Commander, in charge of Ordnance.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Washington, D. C.*

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NEW YORK, *December* 6, 1861.

MY DEAR CAPTAIN: I never was more at a dead stand than I am about the Wiard gun: a *second* one has failed; on the first fire a piece of one of the lands (some three or four inches) about eight inches from the muzzle, broke off; and during the fire of ten rounds, a seam of three or four feet made its appearance along the upper part of the bore, showing that gun unfit for service. Six of the 50-pounders I have worked at with the following results:

No. 1. The trial gun; stood without injury, so far as I can see, except the vent.
No. 2. Fired 10 rounds; no injury to the gun, the vent being bonched.
No. 3. Is the one I have mentioned as having the seam in it and broken land.
No. 4. Burst on 10th fire.
No. 5. Uninjured.
No. 6. The vent choked on the first fire, and they are at work removing it.

I only use the number to indicate gun; they may not be the right numbers, as I have not my note-book with me.

The five 12-pounders are all right up to the water-proof; that has not yet been applied.

Mr. Wiard is now changing the proving ground. It is impossible to get on with the work at this season of the year on the island. When I commenced with the guns I expected to have finished with them weeks ago.

All is wrong with me about guns, and I wish to go to sea. My cold is about as bad as it can be, and I think you had better be on the lookout for some better man.

The drawing for the 50-pounder put the trunnion down 6.5 inches × 6.5 inches, and they have been made by it. The draught for the carriage is 5 25 inches × 5.25 inches, and they have been made by it. I have told Gansevoort to let them stand until it is decided how many of the guns are taken.

No more lathes yet. Three are at work on the 7½-inch, but the boring tools work badly, and they do not make much headway. I go to Cold Spring in the 7 o'clock train to-morrow to fire the 30-pounder and make arrangements to fire the 7½.

I might perhaps tell you some more bad things, but I have not the life to do so to-night.

Will you please ask my friend Wise to tell me what steps I must take to get a young friend of mine (John F. Tarbell, of Boston) examined for master's mate?

Truly yours,

R. B. HITCHCOCK.

P. S.—This is not an answer to your kind letter.

BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, December* 7, 1861.

SIR: Your announcement to the bureau that another of the semi-steel guns has failed under fire, is received.

The bureau is also apprised that two of the guns have been delivered at the New York yard by Mr. Wiard.

Under the circumstances, and until the bureau is assured of the strength of the pieces delivered, they cannot be accepted; and you will please, in the mean time, state your opinion as to whether you deem them safe to put into service.

I am, very respectfully, your obedient servant,

A. A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector Ordnance, New York.*

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NEW YORK, *December* 9, 1861.

SIR: The third of the Wiard 5.1-inch (50-pounder) guns bursted on the ninth round, to-day; this is the second gun which has broken up, and third rendered unserviceable in the proof of six. The gun broke into two pieces; a section of the cylinder, extending from the trunnions along the under side of the gun, through the breech, and along the upper left-hand side (near the left vent) to the trunnions, fell nearly under where the gun had been suspended; the remainder of the gun was thrown some six feet to the right.

No indication of the failing of this gun was exhibited before the explosion. The destruction of three out of six of these guns, under the slight proof of 10 service rounds, I think, forbids the placing of guns of their kind in service. The guns of less weight, such as have been used in the army, and the 12-pounders made for the navy, may be more perfect.

There remain four of the 50-pounders which have not been fired. I beg your instruction in relation to them.

The five 12-pounders have stood the test of 10 rounds, and in all other respects conform to the requirements prescribed; the powder proof (one pound of No. 7) is not a severe test.

More trunnion straps for 50-pounders have been received; they are not required here; will you please direct what disposition I shall make of them? The trunnion straps for the 7½-inch are much wanted here and at Cold Spring; the work at Mr. Parrott's is now delayed, (and in a day or two will be here,) for want of them.

I have not yet received your order as to the kind of projectile to be used in firing the 7½-inch at Cold Spring. I would suggest, in firing the gun, that it be done from a carriage, and not suspended; it will be a test of the trunnion straps, and also the flight of the projectile. I have omitted to state that the trunnion strap of the 50-pounder bursted to-day, broke in the same manner as the one before reported, and within an inch or two of the same place. It is not in my power to obtain a drawing of the last lathe, without I employ a draughtsman to make a copy of the draught at the Morgan works, where it was constructed.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance, U. S. Navy.*

Captain A. A. HARWOOD,
*Chief of Bureau Ordnance and Hydrography, U. S. Navy.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, December* 9, 1861.

SIR: Your telegram of the 7th instant is received.

1. With reference to the boat howitzers, the demand for the expeditions fitting on the Atlantic coast have been so imperative and immediate, that the bureau has found it absolutely impossible to fill your requisition. Orders, however, have been transmitted to-day to the inspector of ordnance at New York to forward to Cairo five semi-steel rifled Dahlgren howitzers, if they pass inspection and proof.

I have the honor to be your obedient servant,

ANDREW A. HARWOOD,
*Chief of Bureau Ordnance and Hydrography.*

Flag-Officer A. H. FOOTE,
*Gunboat Flotilla, Cairo.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, December* 9, 1861.

SIR: Your communication of the 6th instant is this day received.

1. With reference to the prolonged proof of the 7½-inch rifle, by referring to the bureau's letter of 28th November, you will find it specifically stated that the weight of the shell is to be about 125 pounds, and in the letter inclosing the sketch for cartridge formers, of 7th instant, the charge is laid down of 10½ pounds cannon powder.

2. You will please procure the 7½-inch projectiles from Mr. Parrott or Mr. Hotchkiss.

3. The 9-inch gun with the cracked trunnion delivered at the New York yard is not to be put in active service, but may be used on board the receiving ship for gunnery exercise.

4. Commander Gansevoort will be instructed to carry out the above design, and information will likewise be forwarded to him in reference to the shells which were sunk in the river.

5. With reference to the five 12-pounder semi-steel howitzers, if after inspection and proof you deem them safe for service, they are to be forwarded to Flag-Officer Foote, Cairo, Illinois, for the gunboat flotilla. The carriages and equipment, if not prepared in New York, will be sent on from Washington.

I am, very respectfully, your obedient servant,

ANDREW A. HARWOOD,
*Chief Bureau Ordnance and Hydrography.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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NEW YORK, *December* 10, 1861.

SIR: Your communication of the 7th this moment received, in which you state that you "are apprised of the delivery of two of Mr. Wiard's guns at the New York yard." They were landed there, not delivered. Captain Gansevoort was distinctly told by me that it was alone for the convenience of Mr. Wiard, until your decision was made; that the guns did not belong to the navy, nor were they under his charge as inspector of ordnance. The expense is great to move the guns; they could not remain on the island without injury, and as the guns had to pass the navy yard in their removal from the island to Wiard's establishment, I gave the permission to land there, subject to your decision.

The opinion required as to the safety of the semi-steel gun has been fully expressed in my letter of yesterday. I do not deem them safe to put into service.

The sketch of formers of rifled gun is also received. The charges of powder are different from that I have been using, and also from your last order for the firing of the 7½ at Cold Spring; the powder is filled, and as the order was for a particular purpose, I shall not change it without further orders.

Please inform me if No. 7 powder is to be used in *all* rifled guns.

In the proof of Mr. Wiard's 50-pounder 5.1-inch, I used five pounds of No. 7, Hotchkiss shot of 50 pounds, and shell of 40 pounds.

I exceedingly regret that I have no information in relation to the projectile and number of rounds which you wish used in the proof of the 7½-inch guns; the difficulties attending the work will increase as the winter advances.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance, U. S. N.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, U. S. Navy.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, December* 10, 1861.

SIR: Your telegram of yesterday, stating that another of Wiard's guns had burst at the ninth round, is received.

You will please discontinue any further trials with the semi-steel 50-pounders, and inform the maker that the repeated failure of his guns compels the bureau to decline to receive the remainder.

Very respectfully, your obedient servant,

A. A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, New York.*

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NEW YORK, *December* 11, 1861.

SIR: Your orders of December 9, in relation to the proof of the 7½-inch gun at Cold Spring, and armament of the sloops of the Monongahela class, are received. Order of the 10th rejecting the Wiard semi-steel 50-pounders has this day been communicated to Mr. Wiard, by sending him a copy of your letter. I have also written to Mr. Hotchkiss for 500 of his shells, for the trial of the 7½-inch gun at Cold Spring, and hope to commence with it the last of this week.

The Tuscarora has arrived here, and Captain Gansevoort consulted me in relation to shells for her 30-pounder. I have requested Mr. Hotchkiss to send 100 for the 30-pounder, thinking the Parrott shell would not answer as well.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance, U. S. N.*

Captain A. A. HARWOOD,
*Chief of Bureau Ordnance and Hydrography, U. S. Navy.*

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GRAMERCY PARK HOUSE,
*New York, December* 13, 1861.

SIR: Your communications of 9th, 10th, and 11th received. I have already informed you that No. 5 Wiard's semi-steel 50-pounder burst on the ninth service round; the welding is imperfect, enough so to render the gun unfit for service. On the first fire of this gun the vent was closed at the point where the platina is placed; there not being any tools at our command on the island to remove the obstruction, the gun was permitted to remain in this condition until mechanics, under the charge of Mr. Carpenter, (of the firm of Carpenter & Plass,) went to the island and opened the vent. I was not present, being at Cold Spring. I questioned Mr. Carpenter and the workmen in regard to the obstruction of the vent, but obtained no satisfactory information. My suspicions were, for the first time, awakened that there was something wrong in relation to the gun before firing; I made a careful examination of the bore, but only discovered some dark spots at the bottom of it. After the breaking of the gun I found that a piece of iron had been inserted to form the entire chamber of the gun. On the first fire this false chamber was driven in so as to cut off the platina vent and cover the orifice through the remaining part. This is exhibited by the holes in the piece of this false chamber, which I send you to-day by express. The hole nearest the bottom of the chamber is the one that was first drilled; with the piece I have sent before you, a description is unnecessary.

From all that I can ascertain, this gun was bored at one establishment and then sent to another to be turned; by mistake too much was turned off from the breech; this false piece was then inserted to bring the bore forward into its proper position.

I have no cause to think that Mr. Wiard had any knowledge of this transaction, or that all the members were cognizant of it; at least they assured me that they were ignorant of it.

How far this will affect the 12-pounders made or finished by the same parties, and the finishing of the 7½-inch guns, six of which they have in hand, (only three, however, have had any work done on them,) is for the bureau to decide. I await your instructions.

Respectfully,

R. B. HITCHCOCK,
*Inspector of Ordnance, U. S. Navy.*

Captain A. A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, U. S. Navy.*

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NEW YORK, *December* 13, 1861.

MY DEAR CAPTAIN: Who says that a retired list is not required, when inspectors of ordnance cannot tell when trunnions are broken off or guns filled up with old iron? I believe I shall soon pass some old stove-pipe, and think it a good gun. I told you it was time I was off; let me go before some one is killed by my stupidity.

I cannot help but admire the cleverness and workmanlike manner that this piece of rascality was executed; the fitting was perfect. I used a lamp, the sun, and a bar of hot iron to examine the bore of this gun; all looked well to my *blind* eyes; the only thing was the dark spots, which undoubtedly were the bolts used to fasten the false chamber. Well, they fooled me, and it makes me mad. If strong English can make people understand what you mean, I think they know what I think of them and their rascality.

I have made an arrangement with Mr. Hotchkiss to get 100 or 500 shells from the 7½-inch Parrotts; they have made the first of the shells too heavy, and will not be able to let me have any of the right weight until Tuesday next.

There are some 4,000 or 5,000 shell not bouched at this yard Would it not be well for the ordnance to purchase some lathes to do this work, and then hold on to them until you get an ordnance building?

Why not pitch into the foundry at Boston yard and make our own guns? Willmorth is just the man to take charge of it. I would almost give up going to sea to take hold of such a piece of work. But stop—*one trunnion broken off, one gun filled up with old iron*—better go to sea.

Would it not be well to give an order that all shells should be kept under cover, not allowed to get wet from rains or snow?

I asked Wise to get me the cost of the shell caliper and the large caliper, for measuring disk of gun, made at the Washington yard; can you not have it sent to me?

In haste, and mad as mad can be.

Truly yours, R. B. H.

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, December* 19, 1861.

SIR: The bureau desires you to inform Mr. Norman Wiard that neither the 50-pounder cannon nor the semi-steel rifled howitzers will be received by this department.

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau.*

Commander R. B. HITCHCOCK,
*Inspector of Ordnance, Cold Spring.*

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ASTOR HOUSE, NEW YORK, *May* 17, 1862.

SIR: In accordance with your orders, I have called upon Mr. Norman Wiard in relation to the guns made by him under contract with your bureau.

The 50-pounder semi-steel guns failed in proof, as reported by me, to an extent that induced you to reject them; also, one of the guns had a false chamber introduced into it, which cast suspicion upon all of them.

The 12-pounder semi-steel guns were put on proof upon the results of the trial of the 50-pounders: the dimension of the guns was in conformity with the ordnance requirements, and the work upon the guns remarkably well done.

The five guns were fired 10 rounds each with service charges; the guns were then sent to the navy yard, but with the understanding that the inspection had not finished, and that it had nothing to do with their reception by the Ordnance Bureau; the landing of them at the yard I understood to be a convenience to Mr. Wiard.

At the time, I had no doubt but the guns would pass inspection and be received. Mr. Wiard had been urged by you to deliver the guns as soon as possible at the New York yard.

The water proof had not been applied to these guns, (we had no means of doing it at the time,) nor has the inspection mark been put on them.

At the time of your visit to New York, General Burnside was anxious to take these guns, and Mr. Wiard could have disposed of them to him.

In equity, I think Mr. Wiard should be paid for the five boat howitzers. From what we have learned unofficially of the endurance of the same kind of gun used in the army, I believe the guns have endurance.

The 7½-inch guns which were put into Mr. Wiard's hands to finish, seven in number, were progressed with until the work was stopped by the bureau; the work was undertaken with the expectation that a sufficient number of guns would be put into their hands to compensate them for their expenditure upon machinery and fixtures. The guns were in part completed, and as it was no fault of Mr. Wiard's that they were not entirely so, I think it but just he should be paid the price agreed upon, $750, and I doubt if that will give them any profit.

I believe Mr. Wiard to have acted in good faith in all his transactions about these guns, although I have no confidence in semi-steel for large guns. I have reported upon these guns in full some time since.

I have given Mr. Wiard orders to send the 50-pounder to the New York yard, and the remaining four 7½-inch guns to Washington.

Mr. Wiard has a small bill of expense for sending the three guns to Washington some time since.

Mr. Wiard has a new gun and an iron boat, which I have examined to-day, and beg your attention to them when presented, which will be in a few days.

Respectfully,

R. B. HITCHCOCK, U. S. N.

Captain ANDREW A. HARWOOD,
*Chief of Bureau of Ordnance and Hydrography, Washington, D. C.*

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington City, June* 9, 1862.

SIR: With regard to the 50-pounder semi-steel gun, made by you, and which burst in consequence of having a false chamber, Commander Hitchcock, inspector of ordnance, reported to this bureau as follows, under date of December 13, 1861: "From all that I can ascertain, this gun was bored at one establishment and then sent to another to be turned;

by mistake too much was turned off from the breech; this false piece was then inserted to bring the bore forward into its proper position.

"I have no cause to think that Mr. Wiard had any knowledge of this transaction, or that all the members were cognizant of it; at least they assured me that they were ignorant of it."

Very respectfully,

ANDREW A. HARWOOD,
*Chief of Bureau.*

NORMAN WIARD, Esq., *Washington.*

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[Extract from letter of Norman Wiard to Bureau of Ordnance, dated July 19, 1862.]

"One steel gun of my fabrication (the one before mentioned I consider to be the best adapted for the purpose) is not included with those so kindly placed at my disposal.

"Will you please direct that it also be given to me to be used first, and after its use for the purpose specified, I shall commence upon the others.

"I will on Monday give you an estimate of the probable expense of conducting the proposed experiments, that I assure you will not include any remuneration or profit to myself."

(The whole of this letter will be found under the head of 7½-inch rifles.)

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BUREAU OF ORDNANCE AND HYDROGRAPHY, NAVY DEPARTMENT,
*Washington, July* 25, 1862.

SIR: You will please deliver to Mr. Norman Wiard the 50-pounder semi-steel trial gun now at the New York navy yard.

I am, very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief Bureau Ordnance.*

Lieutenant W. G. TEMPLE,
*Assistant Inspector Ordnance, Navy Yard, New York.*

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WILLARD'S HOTEL, WASHINGTON, *July* 25, 1862.

SIR: In reference to my communication to the Secretary of the Navy, and his decision that I was to be furnished with two 7½-inch rifles and a proper amount for expenditure to enable me to conduct the experiments therein indicated, I have to request that you will place at my disposal the 5.1-inch steel gun asked for in my note to Captain Harwood, on the conditions mentioned. I also beg to inform you that I have carefully considered the expenditure necessary, and believe it will not be more than the sum of $2,000, and of this amount $500 will be expended in building a proper drilling machine for the peculiar kind of work to be done upon the guns; which drill and all apparatus upon which money is expended will be of good quality, and turned over to your charge after the completion of the experiment.

Respectfully,

NORMAN WIARD.

Captain J. A. DAHLGREN,
*Chief of Bureau of Ordnance and Hydrography.*

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BUREAU OF ORDNANCE. NAVY DEPARTMENT,
*Washington City, July* 28, 1862.

SIR: In reply to your notes of the 19th and 25th instants, I have to state that the 5-inch steel gun made by you will be placed at your disposal, as requested, for the purposes contemplated.

It was never intended, however, to do more than to supply you with the steel gun and the other two guns asked for, and therefore all other expenses are to be borne by yourself.

I am, very respectfully, your obedient servant,

JNO. A. DAHLGREN,
*Chief of Bureau.*

Mr. NORMAN WIARD, *New York.*

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WILLARD'S HOTEL, *January* 8, 1863.

DEAR SIR: In my conversation this morning, I omitted to mention that the bill for the two 50-pounders, Nos. 4 and 6, was never presented, or any claim presented, to the bureau Captain Harwood *nervously* refusing to hear anything or receive anything.

I also should have stated that Mr. Wiard has the machinery nearly ready to fit the 50-pounder assigned him by the bureau for the experiment to locate the place and quantity of heat, and will in a few days make a requisition for the gun.

Very respectfully, your obedient servant,

H. L. STUART.

Captain DAHLGREN.

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NEW YORK, *December* 31, 1863.

*Bureau of Ordnance, Navy Department, to Norman Wiard, Dr:*

For two semi-steel guns ordered by the bureau August 1, 1861, and delivered at the navy yard, Brooklyn, under order of October 18, 1861, said guns being No. 4, weighing 5,700, and No. 6, weighing 5,678 pounds. Total 11,278 pounds, at 85c..... $9,671 30

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, January* 19, 1863.

SIR: Your letter of the 8th instant has been received, together with bill of $9,671 30 on account of two semi-steel guns, made by Mr. Norman Wiard.

I have examined the correspondence which passed between the bureau and Mr. Wiard, and the inspector, Captain Hitchcock, in relation to the manufacture and proof of these guns.

It appears that the first gun endured 350 fires and was received; but of the next five, three were unable to endure the ordinary proof of 10 rounds, just such as would be fired in service. One burst at the 10th fire, another had a piece of land broken by the first fire and was cracked three or four feet by the 10 fires, and the third burst at the 9th fire. In this last piece it was found, on rupture, that an attempt had been made to conceal a gross and fatal error in dimensions, by inserting a false chamber.

This, with the extraordinary weakness of the two other guns, caused the inspector to report that, in his opinion, guns of the kind were not fit for service.

Whereupon the bureau declined receiving any of the five, and directed Captain Hitchcock so to inform Mr. Wiard, which was done by sending to Mr. Wiard a copy of the bureau's letter.

There was no delivery of the guns noted in the bill you present, at the navy yard, in the sense of the contract; they were landed there to accommodate Mr. Wiard, and were not received or accepted, as stated in a letter from Captain Gansevoort, ordnance officer of the yard.

Under these circumstances there seems to be no reason for changing the decision of Commodore Harwood, the former chief of the bureau.

Very respectfully, your obedient servant,

JNO. A. DAHLGREN,
*Chief of Bureau.*

Mr. H. L. STUART, *New York.*

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NEW YORK, *January* 20, 1863.

SIR: Your letter of January 19, addressed to Mr. Stuart, relating to my account for semi-steel guns, has just been received.

It should be known to you that I received the order for these guns after presenting a gun, made of the same material and by the same process, which was fired at the Washington navy yard, and that I had reason to suppose that the order was given after consideration of the report of that trial by the bureau. I was not informed that *even one gun* was to be put to extreme proof at any time previous to the visit of the inspector, Captain Hitchcock. The chief of the bureau informed me verbally during the negotiation that the guns were to be accepted after having been fired 10 service charges. Had I understood otherwise, I should not have undertaken the large guns at all. And Dr. Cockroft and Mr. Merritt, who were with me during all the interviews while I was negotiating for the fabrication of these guns, have repeatedly stated to me that they had the same view of the understanding.

My proposition was also for 100 guns, afterwards reduced to 50, and I represented to the chief of the bureau that I could not take an order for five guns only, when I was assured that this order would be renewed as soon as the five were completed. This was afterwards communicated to me in writing, viz: in the letter of the chief of the bureau dated August 12, 1861. Yet without any reason being assigned me, on the 24th of August the chief wrote to me that I must "not continue the fabrication of the 50-pounders beyond the five already ordered." Upon the receipt of this unjust decision of the chief of the bureau I went to

Washington, and on reminding him of the circumstances attending the agreement, he renewed the order for "five more guns in addition to those I had in hand." I had but just reached home when I received another letter, dated August 28, 1861, in which I was reminded that the last five guns were ordered on the conditions proposed by me, viz: that the price was to be 80 cents per pound instead of 85 cents, as stipulated in the agreement for the first five; and in this letter I had the first indication from the bureau of any risk to the manufacturer, and certainly no one who reads this letter would say that the warning was very explicit.

It should be recollected that I had received an order to manufacture these guns from a material with which the bureau was well acquainted, as the agent of Corning, Winslow & Co. had already exhibited samples and analyses, and I had presented two guns for trial, also made of the same material, which guns were examined and fired. The bureau furnished me the drawings from which the guns were to be made, with explicit directions, in which the fact that the reception of one gun depended on the reception of another was not mentioned, and every rule of the ordnance department contrary to my theory of the contract was kept a profound secret. I have never been able to procure any of the printed rules relating to inspection of ordnance, although I have made frequent applications for the same, and at the time that I made this contract there were none for sale publicly, so far as I could learn. The only copy I ever saw was handed me by Captain Hitchcock, in September, 1861, with directions to return it to him the next day, and I had only time to examine the part relating to dimensions and measurement.

I undertook the work of making these guns as a machinist receives an order from a private citizen, to work according to drawings and specifiations for a certain price that was a fair consideration for the work to be done. If any part of the work failed to conform to the directions I expected to have it rejected, but if, in a reasonable time, I offered the quantity of work that was faithfully executed, and of which it could not be said that it was not according to directions, I expected to be paid.

I have fabricated nine of these guns, at a cost of not less than $100,000. I entered with energy upon the manufacture of the first lots, expecting them to cost more than would be received for them, but that the loss would be retrieved through future renewals of the orders, according to the written promise of the chief of the bureau.

The first gun was put to extreme proof, and was highly commended by the inspector, Captain Hitchcock, for its great endurance. The surface of the bore had the burnish of the boring tool on it; after firing 350 rounds there was no perceptible enlargement of the bore, and the angles of the lands continued sharp to the end.

Two more guns—the ones for which the bill has just been presented—were fired the 10 service charges, and were delivered at the New York navy yard, according to written directions from the bureau to me. Captain Hitchcock informed me that a water test was to be applied to complete the inspection, and that it was most convenient to apply it at the navy yard, and neither he nor any other person informed me that I was permitted to deliver them at the navy yard in order to "accommodate me." If I had been so informed I should have answered at once that it did not accommodate me, as it cost me money to send them there, and money was a commodity of which I had no surplus at that time. Whatever communication Captain Gansevoort may have made to the bureau, it should not affect me, as he did not communicate anything on the subject to me. The guns were actually received at the navy yard, and are there now.

One gun burst at the 10th fire. It was, however, fired rapidly on a cold day. Semi-steel is remarkable for its incompressibility, and I think that the interior metal was expanded by the heat from the powder in advance of the heating of the surrounding metal, and while the balance of the metal was at an extremely low temperature. The gun was fired more rapidly than it could be fired in service, when side and train tackle would have to be worked and the gun sighted.

Another gun had a flaw exhibited at the first fire by a piece of the land near the muzzle coming off. This flaw reached along the surface of the bore three or four feet, and the foreign matter was cleaned out during the firing of the 10 rounds. One of the difficulties attending the forging of large masses of metal, especially of steel, is that even after the completion of the welding of a mass of sufficient size for one of these guns, 7,800 pounds, a few of the last blows of the hammer on opposite sides of the mass is liable to open it at the center, and no amount of hammering will afterwards close it. In forged guns, however, the center is afterwards bored out, and this flaw, if such there be, will usually be then exhibited, especially on a careful examination. I have no doubt that a water test applied to the gun would have detected this flaw, or that it might have been detected by a searcher. I was not acquainted with either of these plans for detecting inside flaws until after the inspection of the gun. This gun was properly rejected on account of the flaw, and had I been present I should have requested its rejection at the first fire. Your letter says: "A piece of land broke at the first fire, and was *cracked* three or four feet *by the ten fires*." A careful examination of the gun at the present time will show my theory, as above, to be the correct one. I have examined it carefully since it was fired, and have not allowed myself to be influenced by my own interest in coming to this conclusion. No gun of my fabrication has ever yet had a searcher inserted to detect cavities in the bore, neither has the water test been applied. I do not know what is the usual practice with regard to the use of these instruments, but I

am of the opinion that if flaws had been detected in either of the before mentioned guns, their rejection at that stage of the inspection would not have interfered with the acceptance of other guns; and as I did not know that the rejection, at any time, of one gun would be considered grounds for the rejection of another without fault, I was not as careful to insist upon precautionary measures as I should otherwise have been. Furthermore, I was profoundly impressed with the careful manner in which Captain Hitchcock went about his duties, and with the liberality and integrity of all the ordnance officers with whom I had come in contact. I had an earnest desire to do exact justice and good service to the government, and could not believe that anything so disastrous could happen as this final result, while I labored with such inclination and inspiration.

I suppose it will not be possible for me to throw any new light on the outrageous fraud perpetrated on the last gun you mention, in which a false chamber was inserted, except to name all the scoundrels cognizant of and assisting in it, according to the best information I have been able to obtain; and I do this because I think it proper that the Navy Department should know their names, and thus be enabled to avoid dealings with them hereafter; and that this may apply both directly and indirectly I mention their business connections:

1. *F. S. Carpenter*, of the firm of Carpenter & Plass, of which firm W. M. Miller was a silent partner and is their successor. As the greatest punishment that I could inflict upon Carpenter, I insisted upon his unconditional withdrawal from the firm, and I still hold that this firm is liable to me for damages in destroying my own valuable business.

2. *J. P. Tice*, the present partner or agent of Miller, and inventor of projectiles, &c, and *W. Thompson*, of the firm of Tugnot, Dally & Co., Franklin's forge, and Ganster, now or lately a partner of Miller, a machinist by trade, and at the time of the fraud foreman for Carpenter & Plass.

This gun was not finished at the shop corner Twenty-ninth street and First avenue with the others, but, on account of the large number of guns in process of construction at that time, was taken to Brooklyn, to the shop of Mr. Inslee, to be bored and turned, the work being continued day and night. The boring tool was put in too deep, during the night, I think—Ganster, the foreman, and Mr. Carpenter being the only parties present. Carpenter was alarmed at the accident, fearing that he would have to pay for the forged block $1,500. He stopped the work on the bore, and commenced turning on the outside, to gain time for consideration, and at this time took Tice into his confidence, who, I believe, suggested the plan of entrapping me into suggesting a remedy.

Carpenter very cautiously told me a marvellous story the next day concerning the superiority of the forged block, and hinted that he hoped that it was long enough to turn up well. He said that he feared he had bored it too deep, to which I simply answered that I was sorry, if it were so good a block as he inferred it to be. He then turned the subject to a 12-pounder field gun that had been bored three-fourths of an inch too deep, and said that he had consulted Mr. Tugnot about it, who had advised putting in a false bottom of steel; but I at once put an end to the discussion by forbidding any such thing being done, when he gave up his effort to approach me. He then went to Mr. Thompson, of the firm of Tugnot, Dally & Co., and the four parties consulted together, and finally decided on the plan by which the false chamber was put in. The work was done at night, occupying several nights, and was all performed by Carpenter and Ganster, assisted by Tice and Thompson. A day or two after the conversation with me, I asked Carpenter about the gun, when he told me that he found that he had not bored too deep, and that the block was long enough to turn up, and boasted again about the qualities of the gun. I asked him when he would bring it over to be rifled. He said in three or four days, and that he was in continual attendance on it, to insure correct dimensions; that it was so beautiful a block, and the bore so perfect, that he wished it to be the best of all the guns, and exact in its dimensions; and this statement he continued to repeat for two weeks every time I saw him. When the gun finally came to the shop, I examined it and was much pleased with its appearance, and caused it to be hurried on the proving ground. At the first fire the false chamber was moved back into its seat, by the pressure of the powder cutting off the platina bouche. I examined it in the presence of Carpenter, Ganster, and Tice, and felt much surprised at the phenomenon. I came to the conclusion that there was a flaw near the chamber, into which the platina bouche had moved until the vent did not coincide with the copper and platina. All parties expressed surprise, and Carpenter proposed to have the gun removed to the shop, where he would remove the bouche, and see what was the matter. I asked, why not do it where it was? and as no good reason was apparent why so much trouble should be taken, I directed that it should be done where it was. Carpenter then reminded me that I had directed him to be secret about the matter of bouching the vent, to which I answered that it was near evening, and that he and Ganster could remain and work all night, if necessary, in taking out the vent, and that I would see it out in the morning, and direct what further steps to take, to which he assented. He removed all the bouche except the platina, which he cut off flush inside, after which he rimmed out the seat anew for the platina, and, after inserting a new piece of platina, readjusted the bouche. He then took a vent impression of another gun to be exhibited to the inspector and myself, and stated that he only found the vent closed with powder, and that he had returned it so that it could be fired at once in the morning. When I arrived on the ground, the gun had been fired and burst. It was noticed that Ganster, who was present during the firing, was

nowhere to be found for several days after. From the time of this outrage until now, I have believed that it would be proper that I should make a statement in writing to the Ordnance Bureau, embodying all the knowledge I had on the subject, and I have intended to do this at whatever time I might be charged with any improper connection with this most disgraceful affair. I have also believed that if a long interval should elapse before I made this statement, it would be more nearly correct, from the superior information which I should be able to obtain, more dispassionate on my part, and received with less prejudice by the Ordnance Bureau. I have never been aware of being blamed in this connection, except by yourself. I had the gratification of believing that Captain Hitchcock exonerated me from blame in the case. But Mr. Watson, the Assistant Secretary of War, informed me that you had charged me by name with the act, and elicited, in his presence, the very complimentary sentiment from the President, that I ought to be hung. On being informed of this, I applied to the Ordnance Bureau for copies of letters from Captain Hitchcock upon this point, which letters I exhibited to the President and Mr. Watson. I am now gratified that the statement herein is to be made to you, and hope that it will have the effect of relieving your mind from any doubt unfavorable to me in this case.

The Ordnance Bureau must of necessity deal largely with the manufacturers of the country, and the propriety of dealing justly and even liberally with them is certainly indubitable. If an undue risk be thrown upon them, or even upon one of them, the price of all they buy will be just as much higher as will cover the same risk to each individual who becomes familiar with a single example; and this would result in a kind of gambling in contracts, greatly to be deprecated by all right-minded persons. The government also gains advantages not at first apparent, by what seems to be a failure, as in this case of mine, as it is in this wise by failure that we learn how to succeed. I would not have the government pay me for a gun which was not a good one, and notwithstanding the two guns for which I presented the account have been fired, I wish them put to further test to establish their strength. I wish to have each of them put to the water test and examined with a searcher; then I wish one of the most severe charges by weight of powder and shot that can be devised to be fired from each of them, say the largest charge of mortar powder that will burn in the bore, and the balance of the bore to be filled with a bar of iron or shot. I should prefer that this charge should be fired on a reasonably warm day, but will not object, unless it be extremely cold or rainy. If the guns stand this test, or if either of them withstand it, then only do I wish to be paid.

Very respectfully, your obedient servant,

NORMAN WIARD,
136 *East Thirty-third Street, New York.*
By H. L. STUART.

Commodore J. A. DAHLGREN,
*Chief of Bureau of Ordnance, Navy Department.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, January* 26, 1863.

SIR: Your communication of the 20th was received on the 24th, in answer to mine of the 19th January, wherein I apprised your agent, Mr. Stuart, that I saw no reason to reverse the decision of my predecessor in relation to the two semi-steel guns for which you claim payment.

As you appear dissatisfied with my conclusion, I can only offer you the opportunity of an opinion from the honorable Secretary of the Navy, and, supposing that course acceptable to you, will make the reference accordingly.

I have no remembrance of the conversation to which you allude, but if Assistant Secretary Watson has said so, it must be so. It was, of course, official; therefore supposed to be confidential, and must have been said in the necessary course of business. When this took place you do not state; but you will perceive that if I did speak of this part of the transaction, which you yourself characterize as an outrageous *fraud*, I must naturally have considered it in connection with the contracting party, not knowing at the time that there might be others who were responsible for the act.

On receiving your letter I caused the files to be examined, when a letter of Captain Hitchcock was found, in which the following passage occurs: "I have no cause to think that Mr. Wiard had any knowledge of this transaction"—which, I presume, is what you allude to.

I am, sir, very respectfully, your obedient servant,

JOHN A. DAHLGREN,
*Chief of Bureau.*

Mr. NORMAN WIARD, *New York.*

No. 9.] BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, January* 26, 1863.

SIR: I beg leave to refer the inclosed letter of Mr. Norman Wiard, applying for reception and payment of two guns.

My predecessor, Commodore Harwood, decided not to receive these guns, and, on examination of the record, I have declined to change that decision.

Mr. Wiard not being satisfied with this, I beg leave to refer the case to the Navy Department for its consideration.

Inclosed herewith is Mr. Wiard's letter and my reply. The correspondence on file will also be forwarded, but will require time to copy it.

I have the honor to be, very respectfully, your obedient servant,

JOHN A. DAHLGREN,
*Chief of Bureau.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

No definite action was taken in reference to this case by the Navy Department.

The following affidavit and letter were referred from the Navy Department to the bureau, and were forwarded by the bureau to Commodore Harwood, as seen by following letters:

136 EAST THIRTY-THIRD STREET, NEW YORK,
*February* 5, 1863.

SIR: Mr. Stuart will exhibit to you an affidavit by Mr. Merritt, that corroborates my statement forwarded to the Ordnance Bureau with my account for two semi-steel 50-pounder guns made by me in the year 1861, and delivered at the New York navy yard by written direction of the chief of the bureau.

The Chief of Ordnance has written me that this account has been referred to you for your decision. I feel confident, sir, that if you will give the matter so much of your personal attention as will enable you to understand all the circumstances, you will decide I have been unjustly kept out of this large amount of money already too long, and will direct that I shall be immediately paid. I hope you will permit Mr. Stuart to furnish you information on the subject as fully as I might myself, as it is entirely impossible for me to visit the capital at this time.

Respectfully,

NORMAN WIARD.

Hon. GIDEON WELLES,
*Secretary of the Navy.*

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JANUARY 26, 1863.

CITY AND COUNTY OF NEW YORK *ss*:

M. F. Merritt, of No. 74 Broadway, New York city, being duly sworn, deposes and says, that he was present at the Bureau of Ordnance for the Navy Department in the city of Washington during several interviews for the negotiations, and read correspondence between Norman Wiard and Com. Andrew A. Harwood, Chief of the Bureau of Ordnance, in reference to the fabrication by said Wiard of semi-steel 50-pound guns for the use of the navy, which took place in the summer of the year 1861; and that deponent was so present as the adviser of said Wiard, and also at the request of Messrs. Tugnot, Dally & Co., who were interested in the manufacture of guns.

And deponent further says, that said Wiard did then and there represent and state to said Com. Harwood, that he could not profitably undertake less than 50 guns; that the said chief of the bureau did consent to give an order for that number, but afterwards stated that he wished to reserve the privilege to stop the work upon the completion of any gun; to which Mr. Wiard objected, that not less than five guns would be in course of construction at any one time, and that it was finally decided and agreed, both by the chief and Mr. Wiard, that an order should be given for five and be renewed for the same number as fast as five were completed.

Deponent further says, that doubt was expressed by Com. Harwood, whether such heavy guns could be properly welded, but no doubt as to the quality of the guns if the welding was successful.

When the subject of the proof was referred to, Com. Harwood said distinctly that the proof was to be 10 service charges fired from each gun, and made no mention of risk on one gun from fault of another; but on the contrary, it was acknowledged by Mr. Wiard that failure of a greater or less number of the first five or 10 guns might occur during the test, but no apprehension was expressed by either party as to the safety of those that should pass the examination and test, and that after making five or 10, the process would be so

perfected, as thereafter to insure uniformly good guns, and that Com. Harwood gave frequent assurances that a large number of the guns would be wanted.

Deponent further says, that no mention whatever was made that any gun was to be rejected for the failure of another, and that neither deponent nor Mr. Wiard, as deponent believes, had any intimation whatever to that effect; and that if such had been the case, or if any intimation had been given to that effect, either by Com. Harwood or the department, deponent would not have advised the undertaking of such fabrication by Mr. Wiard.

M. F. MERRITT.

Sworn to before me this 26th day of January, 1863.

JOSEPH C. LEVI.
*Notary Public, New York City.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, February* 10, 1863.

SIR: The inclosed papers have been referred to this bureau by the Navy Department.

As their contents refer to personal interviews occuring before my taking charge of the bureau, I am compelled to refer these papers, which you might also desire to know of.

I am, very respectfully, your obedient servant,

J. A. DAHLGREN,
*Chief of Bureau.*

Commodore A. A. HARWOOD, *U. S. N.*,
*Commandant Navy Yard, Washington.*

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No. 7.] NAVY YARD WASHINGTON, COMMANDANT'S OFFICE,
*February* 10, 1863.

SIR: In reply to your letter of this date, in relation to conversations with Mr. Wiard, or his adviser, Mr. Merritt, I have simply to say that my recollections differ widely from those expressed in the affidavit of Mr. Merritt, and the records of the bureau will show what arrangements I really did enter into with Mr. Wiard and other parties, who appeal to conversations instead of written agreements.

Could the conversations which took place in the bureau have been recorded with the fidelity of a sun picture, I think they would prove that while urged by the cry for ordnance on every hand, I listened coldly, and gave the least possible encouragement to untried schemes.

It is somewhat strange that, after this lapse of time, claims of the kind should be made to my successor. The records, I think, will show that they ought not to be entertained.

The affidavit of Mr. Merritt and note of Mr. Wiard are herewith returned. (Two inclosures.)

I have the honor to be, very respectfully, your obedient servant,

ANDREW A. HARWOOD,
*Commandant.*

Captain JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance.*

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[Memorandum for Captain Dahlgren, Chief of Bureau of Ordnance.]

When it was first proposed to the bureau to employ Mr. Wiard to fabricate semi-steel guns, he asked to have a contract for 100, in order to make it worth while to go to the expense of getting up the necessary machinery.

This I positively declined. After a conversation with Captain Dahlgren (which he may remember) the arrangement to order five at a time was made.

A large number of guns were required, but the order to make them depended, as a matter of course, upon the success of the fabricator.

In conversation with the numerous parties who offered to make guns, I invariably refused to name a specific number as guarantee for the expense of putting up new works. I said "guns are wanted now, but how many will be wanted is more than I can foresee. You must act on your own responsibility."

Mr. Wiard ought to remember how explicit I was in my conversations with him upon this subject. But as impressions are apt to fade where interests are involved, we had better stick to the bond, and refer as little as possible to verbal assurances.

I do not remember any written assurance binding the bureau to give any other order than that of five at a time. The bureau was to be the judge of the quality of the guns, and could stop at any time.

The trial gun, by extreme proof, went up to 500 rounds, and, to meet the urgent calls of

the service, the inspector was directed to stop there and put others which had been finished to the usual proof of reception.

The result was such as to convince me the uniformity of semi-steel guns was unreliable, and those made by Mr. Wiard were rejected without exception.

I believe Mr. Wiard did his best to perform his engagement, and regretted his loss.

Very respectfully submitted by your obedient servant,

ANDREW A. HARWOOD.

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NAVY DEPARTMENT, *March* 7, 1863.

SIR: I have examined the letter of Mr. Norman Wiard, referred by you to the department, and herewith return it.

Before proceeding further in the consideration of the claim, it might be proper to obtain if practicable, the statements of the persons named by Mr. Wiard as implicated in "the outrageous fraud perpetrated" in the case of the gun in which a false chamber was inserted The bureau will, therefore, endeavor to obtain this additional information respecting the fraud perpetrated.

I am, respectfully, your obedient servant,

GIDEON WELLES,
*Secretary of the Navy.*

Rear-Admiral JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, March* 10, 1863.

SIR: Inclosed herewith is an extract from a communication of Mr. Norman Wiard to this bureau, dated January 20, 1863.

The bureau desires the fullest knowledge of the subject, and therefore requests that you will transmit any information which may be at your disposal, and that you will make known the contents of this letter to Messrs. Tice, Carpenter, Ganster, and Thompson, with the request that they will favor the bureau with such statements as they may choose.

Very respectfully, your obedient servant,

JNO. A. DAHLGREN,
*Chief of Bureau.*

Mr. WILLIAM S. MILLER,
(Successor to Carpenter & Plass,)
479 *First Avenue, New York.*

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CITY, COUNTY, AND STATE OF NEW YORK, *ss:*

MARCH 14, 1863.

DEAR SIR: I received your communication dated March 10, 1863, inclosing a communication from Mr. Wiard to the Navy Department, in which he charges certain parties named therein as scoundrels. If his word is conclusive in the matter, Captain Dahlgren and General Ripley are the greatest scoundrels of the age, for I have not only heard the same epithets applied to them, but the additional one that he would follow them to their graves to get satisfaction for the manner in which they had treated him in rejecting his guns. I am named as a silent partner in the firm of Carpenter & Plass, which is correct. As such I attended to the financial part of the business. Mr. Carpenter had charge of the machinery department. Mr. Plass had charge of the pattern and draughting department. Each one was held responsible for the management of his part of the business. Previous to the breaking out of the rebellion our establishment was almost exclusively occupied in the manufacture of machines of which Mr. J. P. Tice was the inventor, which will account for Mr. Tice's presence in our establishment. Mr. Tice had no other interest directly or indirectly in the firm of Carpenter & Plass. Mr. Ganster was a hand in the shop, and as such done as he was ordered by Mr. Carpenter. Such was the state of affairs when the rebellion broke out, previous to which we had built an ice boat for Mr. Wiard, who promised to pay for it while it was in process of building; but, unfortunately for us, the money never came, and we have the boat on hand in memory of one of the greatest humbugs of the day. I mention this to dispose of his claim of spending large amounts of his own means in fabricating guns. The fact is that he (Wiard) was in the habit of borrowing small sums of money of the hands in the shop. Mr. Wiard suggested that we should enter into the business of gun making, and as our business was about broken up by the rebellion, after consulting with the forge folks, (Mr. Wiard asserting at the same time that he was thoroughly conversant with semi-steel; that a gun made of that material could not be burst, and that he had a talk with some United States officers, and that

all guns we could make could be disposed of as soon as made,) we consented to enter into the manufacture of the same, and accordingly ordered a gun to be forged, and commenced to finish the same. In doing so we discovered a flaw in the breech of the gun. Under the direction of Mr. Wiard the gun was bored through, and a plug was inserted, Mr. Wiard stating at the time that the material was sufficiently strong to stand all the powder and ball that could be put in it. The gun, however, burst on trial. While this gun was being manufactured, Mr. Wiard stated that he had an order from General Sickles for three batteries. He then made arrangements with Tugnot, Dally & Co., by which they were to furnish the forging for the guns, and with Carpenter & Plass for the finishing of the same; and as they were paid, the amount was to be divided, he receiving 8¼ parts for his services in the matter. We commenced to finish the same. While these guns were being finished, Wiard received an order from your department for some 50-pounder rifles and howitzers. In the finishing of these guns—that is, the 50-pounder rifles and 12-pounder howitzers—we found numerous flaws, and as we did so we laid them aside. These guns, under the direction of Mr. Wiard, (I am informed,) were sent back to the forge, and were there brazed and returned to us to be finished. Several of the guns so brazed were sent with the Burnside expedition. One of the 50-pounder rifles still remains in my shop. If the department will call on Mr. Tugnot, of the firm of Tugnot, Dally & Co., he will no doubt substantiate the fact. At the same time there were small defects which were plugged with iron or composition, as the case required. Mr. Wiard had taken extraordinary means to keep from us the requirements of the ordnance department by forbidding us to have any communication with the department. If any information was wanted, he was the only party to be consulted in the matter. The only one of the rules I ever heard him mention, until after the trouble of the guns bursting, was one in relation to the trial of the strength of the gun. We were in the habit of trying each gun before finishing with a treble charge of powder and ball, when Mr. Wiard informed us that this was against the rules of the department. In relation to the 50-pounder guns, when we commenced the manufacture of them we hired some large lathes, where all the guns were bored. From that shop they were sent to different places to be turned, while we were building lathes for the purpose in our own shop, one of the guns being sent to Mr. Inslee, of Brooklyn, drawings and gauges being sent with each gun so there might be no mistake in turning them right. It was at this place the mistake was made and the plug put in, which Mr. Carpenter will give you the details of. Of that particular plug I do not think Mr. Wiard knew anything. What he states in his communication in relation to that gun I think, from inquiry, is not so. Mr. Carpenter told me, after the gun burst, that no one but himself and the man who helped him to fix it knew anything of the matter. After the accident Mr. Carpenter withdrew from the concern, on the representation of Captain Hitchcock that the ordnance department of the navy never trusted anybody that had practiced deception on it. Such are the facts in relation to the semi-steel guns so far as I am cognizant of the same. These statements charge Mr. Wiard with not only a knowledge of what was done, with the exception of that one plug, but of directing how it should be done. There are other facts connected with some batteries mentioned in a former part of this communication which have taken place within the last six months. In the trial of these guns there were some that had been condemned and sent back to us. Others were sent to replace them. After a time the guns were tried again, and some more were found defective. *Under the direction of Mr. Wiard the same guns that were condemned on the first trial were sent back to Washington to be put in the same batteries from which they were formerly condemned.* One of these guns I stated to Mr. Wiard had a pin hole through the breech. He replied that *he had attended to that, and had hammered it up so that it was good enough, and send it along.*

To sum up the case, Wiard knew of the facts herein mentioned, until the facts became known about the plug, when he found it convenient to cry mad dog, in hopes that by so doing he might draw attention from himself.

WILLIAM L. MILLER.

JOHN A. DAHLGREN,
*Chief of Ordnance Bureau, Washington, D. C.*

Sworn to before me this 17th day of March, by the said William L. Miller, to me well known.

[SEAL.]

A. F. KENNEDY,
*Notary Public, City and County of New York.*

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NEW YORK, *March* 16, 1863.

DEAR SIR: From a copy of a communication from you to William L. Miller, in relation to a false chamber put into a 50-pounder Wiard gun, I see my name is brought into question. As far as I am concerned I will state that I had nothing to do with the matter, and no responsibility whatever was resting on me. I was employed by Messrs. Carpenter & Plass, at their shop in First avenue, near Twenty-ninth street, New York, at the time this false chamber was put in at Brooklyn. I was not on the testing ground when the gun was first fired. After test, Carpenter came to New York and gave me orders to go with him and put new

vent bouches in the gun. After we had done so we took a vent impression from the gun, and not from another gun, as Wiard states. I was present when the gun exploded, and after I had taken a look at the fragments, having no other business there, I started for home. After I got on board the boat, the inspector and his companion also came on board, and we all came up to the city together. After landing in New York, I went directly to work at Carpenter & Plass's shop in First avenue, near Twenty-ninth street, and not as Wiard states, that I was not to be found for several days. This Wiard has frequently ordered me to hammer up imperfect places on his guns so they would not show, and after all this had occurred he sent on for two rejected guns that were pronounced imperfect by the inspector, and replaced them again as sound guns, by hammering the imperfect places up.

GEORGE P. GANSTER.

JOHN A. DAHLGREN,
*Chief of Ordnance Bureau, Washington, D. C.*

STATE OF NEW YORK, *City and County of New York:*

George P. Ganster, being duly sworn, deposes and says that the foregoing statement by him subscribed is true in every and all respects, of his own personal knowledge.

GEORGE P. GANSTER.

Sworn to before me, this 21st day of March, 1863.
[SEAL.]

AUGS. F. LEE,
*Notary Public, New York City and County.*

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NEW YORK, *March* 17, 1863.

SIR: In accordance with your wishes I have shown your communication of the 10th instant not only to the parties named, but to others who might throw some light on the subject; they have promised to state all the facts connected with it, so far as they are cognizant of the same, under oath. I wish to state that Mr. Norman Wiard's interest in those two 50-pounder rifles at the navy yard, Brooklyn, was sold by the sheriff of Brooklyn under execution against Mr. Wiard, and that I became the purchaser of the same.

Yours, respectfully,

WILLIAM L. MILLER.

JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C.*

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No. 100 EAST THIRTY-FIRST STREET,
*New York, March* 24, 1863.

SIR: Having just read the copy of Norman Wiard's communication to your department in relation to operations performed on a certain semi-steel gun, in which communication the firm of Carpenter & Plass seem to be particularly denounced as scoundrels, cognizant of and assisting in it, &c.; and being at that time one of the said firm, I deem it my duty to vindicate my own character, as connected with that transaction, as well as all others connected with the gun manufactured; and also to correct some of Norman Wiard's misrepresentations and mis-statements therein, only regretting that I did not do so immediately after its occurrence, which at that time I had fully determined to do, and was only deterred from so doing by advice of Wiard and others, whose sympathies were more especially enlisted in favor of his pocket than the government; he (Wiard) alleging that his plans and contracts would be seriously disarranged should any further publicity be given to it. To arrive at a correct understanding of the manner in which the manufacture of guns was conducted, and the part each of the firm was expected to perform, I would state that Mr. Wiard took charge of the finances, Mr. Carpenter had charge of the construction of the guns after the blocks were forged, but always under Wiard's supervision and direction, and my own duties being the preparation of drawings, patterns, and the necessary tools for the various parts of the work; consequently neither Mr. Miller nor myself were brought in immediate contact with the detail of the manufacture of the guns. In commencing the manufacture of the 50-pounder guns, we were required to progress with them immediately, and before the requisite tools could be prepared; consequently we were obliged to employ tools in two other shops to forward them sufficiently, and as regards the particular 50-pounder gun in question, it was not bored in the shop of Mr. Inslee, as Mr. Wiard states, but was bored at Mr. White's, in West Thirty-third street, New York city, about three miles distant, and then sent to the shop of Mr. Inslee, in Brooklyn, to be turned by his own men, and not by Mr. Ganster, as Wiard represents. As regards my own knowledge of any error being made, or deception practiced on that or any other gun offered to government, I never had the slightest intimation or idea that anything was wrong until after that gun had been fired, the vent closed, and gun finally burst. But, on the contrary, I had repeatedly cautioned the foreman and every man working upon the gun, to be sure no mistakes were made or defects overlooked; also to discard every gun that

showed the slightest defect. I remonstrated against any attempt to remedy any defects, deeming our own reputation, and the safety of the guns in service, of much greater importance than the loss of labor and material on defective guns.

The first gun made at our shop was made for Wiard as an experiment, and done entirely under his direction, and when bored the proper depth showed a seam in the forging at the breech, and was condemned by all except Wiard, who ordered it bored entirely through and a plug screwed in, which was done, and pronounced by him (Wiard) to be fully equal to a solid breech; and although this gun burst at the first discharge, you will perceive he (Wiard) was the first to establish the precedent that defective guns could be remedied. To what extent he may have put this theory into practice since that time, I know not, but you will doubtless be informed by other parties. Much more might be said in refutation of other false charges in Mr. Wiard's communication to your department, for which he now (after so great delay) proposes to feel so deep solicitude, but I defer for the present. These are the facts as they have come to my own knowledge, which I hereby verify by my affidavit.

Very respectfully,

J. T. PLASS.

JNO. A. DAHLGREN, Esq.,
*Bureau of Ordnance, Washington, D. C.*

CITY AND COUNTY OF NEW YORK, *ss:*

John T. Plass, of said city, being duly sworn, says: That the foregoing statement and communication by him subscribed, is true to the best of his knowledge and belief.

J. T. PLASS.

Sworn to before me this 26th day of March, 1863.

D. C. BIRDSELL,
*Notary Public, New York City and County.*

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NAVY YARD, WASHINGTON, COMMANDANT'S OFFICE,
*March* 31, 1863.

MY DEAR DAHLGREN: I have read your reply to Wiard attentively, and it appears to me to cover the whole ground. If anything more could be said, it would be treating a very extraordinary claim with too much attention to say it.

I do not hesitate to say that if my decision in this case had been overruled I should have despaired of the safety of Uncle Sam's treasury, though Cerberus had been put to guard it.

Yours truly,

ANDREW A. HARWOOD.

Rear-Admiral J. A. DAHLGREN, *U. S. N.*

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APRIL 1, 1863.

SIR: Mr. William L. Miller has shown me the communication of Mr. Wiard to your department, in which is given what he calls the "information" which he has been able to gather in relation to a certain false chamber which was inserted in a 50-pounder rifled gun.

The matter of the bursting of that gun has now passed away; the worst consequences have been inflicted upon me that could possibly have happened. My life-long earnings have been lost by the only breach of trust of which I was ever guilty, and for the truth of this I appeal to men with whom I have dealt in this city for 15 years.

I furnish now freely the information which you ask. The case is bad enough in its true light, without being loaded with falsehood from beginning to end, as it has been in Mr. Wiard's communication. By telling you the truth you will see how from one transaction to another, under the sanction of authority, it became easy to disguise facts for self-interest.

Previous to the war we built at our shop a steam sleigh for Mr. Wiard; it was about finished at the beginning of the war. At this time business became slack, and Mr. Wiard proposed to make some semi-steel guns. He got his first order from General Sickles. The first gun forged was found to be defective in the breech. Mr. Wiard proposed and insisted, against the advice of all the parties, both at the forge and at our shop, in screwing in a false breech, asserting at the time that it was just as good as though it was solid. The gun was finished and tested at Forty-second street, with the ordinary charge and a six pound shot, and burst at the first discharge.

We then proceeded to make other guns. We frequently found small flaws near the bottom of the bore, and when such flaws were found we either took the gun from the lathe for Mr. Wiard's inspection, or stopped them until he should arrive.

Sometimes a seam would show itself one-half or two thirds of the way down the barrel. Mr. Tugnot one day suggested that such a seam as that could be brazed, and I sent the gun

back to the forge. Mr. Tugnot has since declared that he done this under the instruction of Mr. Wiard. I suppose he will tell you of this part himself. I did not assume any responsibility in this direction, supposing that Messrs. Wiard and Tugnot had interest enough at stake to do what was right.

When I remonstrated with him about these little things, and told him that I thought that the stock of which the guns were to be made had been changed to iron, he said, "Carpenter, it makes no difference to you or to me; they have their contract; I don't care what they are made of, so long as I don't know it."

I must say that my idea of government work was somewhat lowered by this remark.

I will now answer the charges made in his communication:

1. Mr. Wiard says that he insisted upon my withdrawal from the firm. I acquiesced in the request, but he then said that the department at Washington had ordered that I should withdraw, or that all contracts entered into with him would be annulled. I considered that I was obeying orders of your department by giving up all I had in the world. I hope that Mr. Wiard told the truth in regard to the matter, and I here request that you will tell me whether your department ordered it or not.

2. Mr. Wiard says that the 50-pounder gun which was fitted with a false chamber was "bored and turned in Brooklyn," which is not the fact. This gun was bored at Mr. White's shop, at the corner of Thirty-third street and Eleventh avenue, and taken to Brooklyn to be turned; it being the second gun turned in that place by the same man. The gun was bored to the right depth, but the workman turned too much off the breech. Mr. Wiard says that the "boring tool was put in too deep, during the night, I think." Now, it is not worth a comment. This suggestion here was a fact upon which Mr. Wiard could have obtained correct information, yet you see what a variation from the truth he makes.

Mr. Wiard says, "Ganster and Carpenter were the only persons in Inslee's shop when the gun was bored too deep." Neither Ganster nor myself were there; I doubt that Ganster was ever in the man's shop. The turning was done by a workman of Mr. Inslee's, who had previously turned a gun of the same kind, and this first gun was the one which Mr. Wiard says I boasted so much about, and not the gun which was spoiled. He has become confused.

You will see Mr. Wiard's ingenuity in the following, also his truthfulness: "He (Carpenter) stopped the work on the bore and commenced turning on the outside to gain time for consideration." The boring was not done there, Ganster was not there, I was not there; and to make it appear a reasonable falsehood, he says to "gain time for consideration." This, I think, as fine a cluster of lies, in one bunch, as ever was seen.

Mr. Wiard says next that at this time I "took Tice into my confidence." In relation to Mr. Tice, he gave me no advice but what I am sorry I did not follow; that was, to state the case to Captain Hitchcock and let him decide what I should do. It is a great wonder to me why Mr. Wiard ever brought Mr. Tice's name in this affair.

All the conversation which Mr. Wiard asserts took place between him and me in relation to my praising the spoiled gun, I pronounce a fabrication from beginning to end. It was a poor plan to keep any hing secret by continually alluding to and calling attention to it.

Mr. Wiard next alludes to a certain 12-pounder gun with a steel plug, when he says I gave up my effort to approach him.

In boring this 12-pounder gun, a flaw was discovered in the bottom. Mr. Tugnot being present, was consulted; he suggested boring to the bottom of the flaw and putting in a steel piece. The foreman, Mr. Charles Vinten, deferred doing this until he could see Mr. Wiard in relation to the matter. Mr. Wiard examined the gun and gave his consent to putting in the piece. Mr. Vinten was foreman on both floors, and he (Mr. Wiard) often gave him his orders.

Mr. Wiard then says: "He then went to Mr. Thompson, of the firm of Tugnot, Dally & Co., and the four parties consulted together, and finally decided upon the plan by which the false chamber was put in." Now, I solemnly assert that such a consultation was never held; the idea of the false chamber was my own, and suggested itself to me immediately upon the discovery of the mistake. Plugs had been put in smaller guns; why not put them in larger ones? I do say that I did not then think it a very serious matter. I did not dream that harm would come of it.

Mr. Wiard says that the work was done at night, which is true; but none of the parties named in the communication were present, and I don't think that they knew where the work was done. The work was done at Mr. Inslee's shop; I was assisted in screwing it in by his foreman, who will testify if necessary to the truth of what I here assert.

Mr. Wiard lays great stress on a certain imaginary conversation, which he insists I indulged in for some time, in relation to that gun; he is confused as usual, or willfully misrepresents what he knows to be true.

The second gun which we made was a beauty, and so well finished that I boasted of its accuracy; this is now confounded by Wiard with the gun with a plug in it. Wiard asserts that I took an impression of another gun to be exhibited to the inspector and myself. I can prove by three persons that I took the impression from the gun which I had been working on to replace the vent.

I could say much, but I have now written more than I intended. Mr. Wiard placed my case before you as a shield, behind which his shortcomings may not be seen. Suppose I had

given you a glaring report of Mr. Wiard, when he directed the plugging and wedging of the flaws in the small guns—who then would have been the saint, and who the sinner?

I have always believed that Wiard would at last meet with a just rebuke from his own misdeed, and this is all the punishment I wish any man. This statement I make upon my oath, and I leave your honorable department to judge whether Wiard or Francis S. Carpenter is the greater scoundrel.

A brief digression allows of an easy repentance, and in all time to come, no trust, however trivial, if placed in my hands, will ever be violated.

FRANCIS SHIELD CARPENTER.

Sworn to before me this 1st day of April, 1863.

JAMES H. TAYLOR,
*Commissioner of Deeds.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*April* 1, 1863.

SIR: Conformably to the directions of the department, inquiry has been made in regard to the insertion of the false chamber in the semi-steel 50-pounders made by Mr. Wiard.

The parties denounced by Mr. Wiard have forwarded affidavits, which are herewith inclosed.

I have the honor to be, very respectfully, your obedient servant,

JNO. A. DAHLGREN,
*Chief of the Bureau.*

Hon. G. WELLES.

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No. 41.] BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*April* 4, 1863.

SIR: In addition to the affidavits relative to the false chamber in the 50-pounder of Mr. Wiard, forwarded to the department April 1, the bureau has the honor to inclose herewith further communications since received upon the same subject.

With great respect, your obedient servant,

H. A. WISE,
*Assistant to Bureau.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

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NEW YORK, *April* 9, 1863.

SIR: Your letter to William L. Miller, also the communication from Norman Wiard to your department, relating, as he alleges, to the parties engaged in certain gun frauds, I have received.

It is a matter of much surprise to me that a person outside the business, who had no interest in the gun contract, should be charged with being so active and solicitous, particularly in the most disreputable part of the business—that part where all was risk and nothing gained.

If I am a "scoundrel," as Mr. Wiard presumes, I am proud of the epithet from the honor which it confers.

First. I never expect the admiration or the approbation of *a rogue.*

Second. Wiard's list of scoundrels is somewhat lengthy, and foremost upon that list is the name of John A. Dahlgren, as the greatest "scoundrel" and the most unmitigated ass in this or any other country, except General Ripley. In fact, all persons who do not believe in the pretensions of the great (?) discoverer and expounder of the principles of *Munchausen artillery* are left entirely without character.

It is proper that I should inform your department how I knew of these guns, and why I was at Staten Island during a portion of the time during which the guns were being tested.

The establishment of Carpenter & Plass was engaged to me for nearly its full capacity some portions of the year from 1858 to the commencement of the war. Mr. Wiard had work done at the same place also previous to the rebellion.

The small guns were nearly all finished at this shop. My work was also being done at the same time and place, so it was impossible for me not to know something of the guns. I went, at Mr. Wiard's request, to Boston to purchase gun-carriage wheels, and sent for money to Mr. Sinclair, I think, of the Tribune office. This may possibly account for that paper's extraordinary course of late in trying to destroy confidence in our most trustworthy officers, and at the same time force upon the country a full assortment of *Munchausen artillery.*

I also superintended the excavations and erected a frame for testing the 50-pounder guns

at Staten Island. This accounts for my being there. There is but one glimmer of truth in all that Mr. Wiard has written concerning me; that is this: Mr. Carpenter did tell me that the gun had too much taken off at the breech, which was at Mr. Inslee's shop. I remarked that it was a pity to lose so good a block from carelessness. Mr. Carpenter remarked that he thought it "strong enough yet." I told him to tell Captain Hitchcock before it was tested, so that no accident should occur. This is the full extent of my influence or suggestions in the matter. That I planned with Tugnot & Co., or advised how to do *anything*, or gave Mr. Wiard's business a thought, is a fabrication, a falsehood; other than as I have stated above.

I did not know *how* or *where* the gun was fixed, or *who* the workmen were, until after the bursting, and it can be proven by all parties concerned. So much for Mr. Wiard's "superior knowledge."

Mr. Carpenter has often remarked that had he taken my advice, this trouble would not have come upon him. This I think justification enough for me.

I could say much more, but I feel that to you it is neither pleasant, entertaining, or profitable. I trust, however, that the insidious innuendoes of this fellow will fall upon the ears of the chief of the bureau with as little effect as the abusive epithets which he levels at you and your department fall upon the ears of other people.

With respect, I remain yours, truly,

ISAAC P. TICE.

Rear-Admiral JOHN A. DAHLGREN,
*Washington, D. C.*

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The undersigned would state, with regard to putting a plug in a 12-pounder Wiard gun, that it was done at the suggestion and order of Mr. Wiard, who not only suggested the idea of the plug, but also the manner in which the job was to be done.

I would say, with regard to defective guns made for Mr. Wiard, that I have frequently waited until I could see Mr. Wiard to get his opinion on the defect, and his instructions as to what I should do in the matter; and so far as my connection with the defects in guns that have come under my care is concerned, I have always, to the best of my memory and belief, received my orders from Mr. Wiard personally as to what should be done with a gun that was not hopelessly defective.

CHARLES I. VINTEN.

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NEW YORK, *March* 23, 1863.

SIR: I bought about 75 50-pounder Hotchkiss shot or shell under execution against Norman Wiard. Will you please let me know whether your department has any claim on the same, and oblige,

Yours respectfully,

WILLIAM L. MILLER,
479 *First Avenue.*

J. A. DAHLGREN,
*Washington, D. C.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, March* 31, 1863.

SIR: Your letter of the 23d instant has been received, inquiring as to the claim of the government upon certain shot, or shell, purchased by yourself under an execution against N. Wiard.

Before a full answer can be made to your inquiry the bureau desires to be informed at what time Mr. Wiard first came into possession of these shot, at what time were they first levied upon, and where were they when levied upon.

And the bureau would also desire to be informed as to the time the levy was made upon the two 50-pounders purchased by you, as mentioned in your letter of the 17th instant.

Very respectfully, your obedient servant,

JNO. A. DAHLGREN,
*Chief of Bureau.*

Mr. W. L. MILLER,
479 *First Avenue, New York.*

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NEW YORK, *April* 3, 1863.

SIR: In answer to your communication of March 31, I would state that the 50-pounder shot or shell have been in my possession since December, 1861, or thereabout; the precise time I have no definite knowledge of. They were on my premises when sold by the sheriff on the 20th March.

The 50-pounder guns were sold by the sheriff, the right, title and interest which Norman Wiard had on the 17th February, or at any time thereafter.

If the government have any claim on those shot or shell above mentioned, I will cheerfully deliver them without any cost or trouble to the government, upon being notified of the same.

Yours respectfully,

WILLIAM L. MILLER,
479 *First Avenue.*

Rear-Admiral JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Washington, D. C.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, April* 11, 1863.

SIR: The bureau desires to learn whether all the shot and shell purchased of you, by the bureau, for the trial of the 50-pounders, were used up.

And if not, whether any were left at the establishment of W. L. Miller, and about how many.

Very respectfully, your obedient servant,

H. A. WISE,
*Assistant to Bureau.*

Mr. NORMAN WIARD,
*New York.*

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136 EAST THIRTY-THIRD STREET,
*New York, April* 20, 1863.

Yours of the 11th instant, making the inquiry whether all the shot and shell purchased of me for the trial of the 50-pounders were used up.

My account rendered October 21, 1861, included 224 shot and shell, *which were all used* in the trial, and in that account I credit the bureau $47 53 for the broken shot and the lead, as per agreement with the inspector.

According to the best of my recollection, I have rendered no account for shot or shell not used or delivered. My impression is that the shot used in the proof of other guns, 50-pounders, have not yet been charged for If the bureau has any account rendered for shot or shell not delivered, upon receiving notice of such default I will deliver them without delay.

I regret the length to which some of my former communications to the bureau extended, and I make this as short as possible, as I learn that Mr. W. L. Miller is sometimes furnished with copies of my communications, and as I am convinced that the single clerk allowed by the recent law is entirely insufficient for so much copying.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Assistant to Bureau.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT.
*Washington City, April* 21, 1863.

SIR: The bureau desires to learn how many 50-pounder Hotchkiss shot and shell were purchased of you by Mr. Norman Wiard, of New York, for the trial of 50-pounder semi-steel guns made by him for the bureau, and also whether the bureau ever purchased any of you for the same purpose in the autumn of 1861.

Very respectfully, your obedient servant,

H. A. WISE,
*Assistant to Bureau.*

Messrs. HOTCHKISS & SONS, *New York.*

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OFFICE OF HOTCHKISS & SONS, SHARON VALLEY, CT.,
AND NO. 92 BEEKMAN STREET, NEW YORK, *April* 25, 1863.

DEAR SIR: In reply to your favor of the 21st instant, we would say that we sold to Norman Wiard, of New York, October 2, 1861, 100 5.1-inch shot; October 8, 1861, 12 5.1-inch shot; October 11, 1861, 12 5.1-inch shot; October 12, 1861, 100 5.1-inch shell; October 16, 1861, 24 5.1-inch shot; October 19, 1861, 84 5.1-inch shot; October 28, 1861, 108 5.1-inch shot; October 29, 1861, 10 5.1-inch shot. We also furnished to John A. Dahlgren, November 1,

1861, 116 5.1-inch percussion shell; November 2, 1861, 52 5.1-inch percussion shell; November 5, 1861, 80 5.1-inch percussion shell; November 14, 1861, 128 5.1-inch fuse shell; November 16, 1861, 130 5.1-inch fuse shell; November 16, 1861, 2 5.1-inch percussion shell.

Very respectfully, your obedient servants,

HOTCHKISS & SONS.

H. A. WISE, Esq.

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, May* 2, 1863.

SIR: In reply to your letter of the 3d ultimo, in reference to seventy (70) 50-pounder Hotchkiss shot and shell purchased by you, the bureau is unable to state at this time whether they are the property of the United States, but is of the impression that they are not.

Very respectfully, your obedient servant,

JNO. A. DAHLGREN,
*Chief of Bureau.*

Mr. WILLIAM S. MILLER,
*No.* 479 *First Avenue, New York.*

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No. 23 GRAMERCY PLACE,
*January* 16, 1864.

SIR: You will confer a favor by sending me copies of the statements made by Messrs. Carpenter, Miller, Tice, Thompson, and Ganster, in reference to the fraud committed by them in the manufacture of steel guns.

Very respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, United States Navy.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, February* 8, 1864.

SIR: In compliance with your request, the bureau forwards you herewith, through Mr. H. L. Stuart, copies of the affidavits of Messrs. Miller, Ganster, Plass, and Tice, in relation to false chamber inserted in one of your guns.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

NORMAN WIARD,
*No.* 23 *Gramercy Park, New York.*

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No. 23 GRAMERCY PLACE,
*New York, February* 18, 1864.

DEAR SIR: I have to acknowledge the receipt of four of the affidavits, viz: that of Miller and of Plass, Ganster, and of Tice. There is another one—that of Mr. Frank Carpenter—in which is some sort of a statement or signature of Mr. Charles Vinten. You will confer a special favor by sending me a copy of that paper, and, if consistent, a copy of Admiral Dahlgren's letter to William L. Miller, asking for information, together with a copy of my letter which called out this series of papers, as I wish to make a careful examination of them.

Respectfully, your obedient servant,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Bureau of Ordnance, United States Navy.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, February* 27, 1864.

SIR: According to your request of the 15th instant, the bureau forwards you herewith copy of affidavits of Frank Shield Carpenter and Charles I. Vinten.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

NORMAN WIARD,
*No.* 23 *Gramercy Place, New York.*

No. 23, GRAMERCY PLACE, NEW YORK CITY,
*February* 18, 1864.

DEAR SIR: Will you inform me if there are any old cannon now on hand by your department which are to be sold. I noticed a sale lately at the navy yard in Brooklyn, but was not able to attend it. If there are any condemned guns to be sold, I write to learn the prices at which the last sold and about what price any others for sale could be purchased, and at what time, and in what way.

Your early attention to this would greatly oblige your obedient servant,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Bureau of Ordnance, United States Navy.*

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TRENTON WIARD ORDNANCE WORKS,
*Trenton, April* 5, 1864.

United States to Norman Wiard, debtor:
To two semi-steel 50-pounder rifle guns—No. 4, weight 5,700 pounds; No. 6, weight 5,678 pounds; 11,378 pounds, at 85 cents ..... $8,681 30

Herewith please find account for two semi-steel guns ordered from me by the Chief of Ordnance in the year 1861, inspected by Captain Hitchcock and delivered by me at the New York navy yard, Brooklyn, according to the written directions of the then Chief of Ordnance, where the guns have remained ever since and where they are now.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington, D. C.*

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NEW YORK, *April* 21, 1864.

DEAR SIR: I desire to place before you the following summary of information obtained by me, which I think to be reliable, and which may be of service to you in any action you may feel called on to take in regard to the pretensions of the so-called American Projectile Company, including those of Messrs. Stafford and Wiard. This information has been obtained in the course of my investigations into the fraudulent chamber placed in one of Wiard's steel guns by Carpenter & Plass.

About the time that Mr. Wiard put forth his memorial to the Senate, something like a year ago, Mr. Stafford, who had been for several months previous experimenting in the shop of Wm. L. Miller, successor to and responsible for the damages and liabilities incurred by the aforesaid firm of Carpenter & Plass by reason of their commission of the aforesaid fraud, on what he called his "sub-caliber projectiles," received a very large order (2,700) for the said projectiles from the then chief of the Bureau of Ordnance, Captain Dahlgren, the manufacture of which was to be performed at the said Miller's shop, and which were manufactured there, thus giving him (Miller) a cash job of about $32,000. About the same time, certain affidavits attempting to criminate and designed specially to injure Mr. Wiard were procured and furnished by the said Wm. L. Miller, at the request of Captain Dahlgren. This order for the projectiles, which have since proved worthless, and this request for the aforesaid affidavits, both emanated from the present Admiral Dahlgren, who knew that Miller was the responsible successor to the guilty firm of Carpenter & Plass, and who knew also that Miller had made claims against Mr Wiard and had threatened him, as he had been so informed by Mr. Wiard's letter and by other means. Thus the admiral would seem to have been mixed up with something akin to conspiracy with parties who had attempted to defraud the government, while attempting to procure evidence against Mr. Wiard.

Among the names appended to the affidavits and statements are Wm. L. Miller and Isaac P. Tice. These parties constitute a portion of the so-called American Projectile Company, they owning jointly $30,000 worth of the nominal capital on account of having contributed Tice & Co.'s dangerous fuse to the company. At the time that Miller commenced manufacturing these projectiles, he had a partnership arrangement with George P. Ganster and Mr. Schuyler, by which they were to share the profits on the work done in the shop. Instead of paying over the respective shares of the profits to Ganster and Schuyler, Miller supported Tice and supplied him with money for the various expenses incurred in experimenting on his "fulminate of mercury fuse," using the money earned by his associates in the manufacture of the aforesaid Stafford projectiles, and both of these parties now have a suit against him for this money. In June and July, 1861, Ganster, who is a remarkably skillful and ingenious mechanic, invented a peculiar arrangement for a rifled projectile, before the steel gun business had fairly gone into operation. Miller, Stafford, Tice, Arrick and others, constituting the so-called American Projectile Company, have declared an interference against

poor Ganster, and by the testimony of Miller, Ivans, a pattern maker, and others, a portion of which beyond doubt is entirely false, have sought to rob him of his invention with a view to force the army and navy bureaus to give them contracts for field projectiles, as they call them, such as were lately urged on your attention in a pamphlet by Clifford Arrick, ex-examiner from the Patent Office. I know that Ganster invented that projectile a year before Stafford ever thought of it. This statement, taken in connection with the printed document which I herewith forward, may enable you to expose and head off successfully a gang of unscrupulous men, whose selfishness seems to be paramount to every consideration of patriotism, justice, and truth, so far as the government is concerned, or the rights of individuals, where money is hoped to be made.

This fuse has been furnished by Tice and is claimed to be invented by him, although he asserts in a certain pamphlet recently published and devoted to the subject of this fuse, that, "should it succeed in service, the credit is more due to the valuable suggestions and forbearance in times of failure on the part of certain eminent ordnance officers—Benét and Hitchcock, at West Point—and to many favors received from Captain R. P. Parrott, than to any enterprise on my part," a statement creditable to his modesty, and indicating a decided change of opinion in regard to himself (Tice) on the part of one of these eminent ordnance officers, who has, as he (Tice) asserts, strongly indorsed his fuse. I allude to Captain R. B. Hitchcock of the United States navy, who had a fair chance to see and judge of Tice around Carpenter & Plass's shop in 1861, and at Staten Island, where he saw him and found him, as he declared, a nuisance, and refused to conduct the inspection of guns if he was around the shop; and who knew also that he (Tice) was charged directly with Carpenter with having a knowledge of the fraudulent chamber in the 50-pounder. I submit these facts as having direct bearing upon matters in which you have a specific official interest. There are many more facts, damaging and damning to some of these parties, but their bearing is in a different direction, and they will be treated before the matter is closed in accordance with the line of policy demanded by the facts intimated, and which may in time reach you.

Confidentially, your obedient servant,

H. L. STUART.

Captain HENRY A. WISE,
*Chief of Naval Ordnance Bureau, Washington, D. C.*

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WILLARD'S HOTEL, *Washington, May* 12, 1864.

SIR: In the fall of 1861, on the written order of the then chief of the Bureau of Ordnance, I delivered, after due inspection and trial, at the Brooklyn navy yard, two semi-steel 50-pounder rifle navy guns. For certain reasons these guns have remained unpaid for up to this date, to my injury and loss. Believing that all the facts now before the bureau will, upon a proper and full investigation, demonstrate that I should be paid for these guns without further delay, I would therefore respectfully ask the honorable Secretary to direct that a board of officers be appointed to examine and report upon the merits of the case as early as may be convenient. To this board, if unobjectionable, I would ask to be permitted to name one civilian expert to represent my interests, and set forth the facts as I understand them.

Very respectfully, your obedient servant,

NORMAN WIARD.

Hon. GIDEON WELLES, *Secretary of the Navy.*

Referred to the Bureau of Ordnance, May 13, 1864.

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The papers in this case were referred by Admiral Dahlgren, when in charge of the bureau, to the department, and are supposed to be on the department files.

In accordance with the within request, the bureau recommends that a board of two officers be appointed to decide upon this case, with the understanding that the decision of this board shall be final.

H. A. WISE,
*Chief of Bureau ad interim.*

MAY 14, 1864.

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NAVY DEPARTMENT, *Washington, May* 18, 1864.

SIR: The letter of Mr. Norman Wiard, of the 12th instant, is herewith returned.

The department approves of your recommendation, and you will refer the matter to a board of officers for settlement, giving due notice to Mr. Wiard.

I am, respectfully, your obedient servant,

GIDEON WELLES,
*Secretary of the Navy.*

Commander H. A. WISE,
*Chief of Bureau of Ordnance ad interim.*

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, May* 19, 1864.

SIR: Referring to your letter of May 12, relating to semi-steel 50-pounder rifles—

Under the authority of the Navy Department the bureau will appoint a board of two officers, to decide upon your claim, upon the condition that the decision of this board shall be final, and that there shall be no appeal therefrom.

The bureau will have no objection to allow a civilian expert to appear before the board to represent your interests.

You will please inform the bureau whether you accept this method as a final settlement of the whole case. Should you do so, you will be duly informed of the time and place the board convenes.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

Mr. NORMAN WIARD,
23 *Gramercy Place, New York City.*

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23 GRAMERCY PLACE, *New York, May* 23, 1864.

SIR: Your communication of May 19, in reply to mine bearing date May 12, (instant,) in reference to the final settlement of my claim for payment for two semi-steel 50-pounder howitzers, is received. The terms you therein propose are accepted on condition that I shall be furnished with a copy of the instructions which you furnish the board for its guidance sufficiently early to enable me to prepare my case in accordance therewith.

I am, sir, very respectfully, your obedient servant,

NORMAN WIARD.

Captain H. A. WISE,
*Chief Bureau Ordnance, U. S. N.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, June* 8, 1864.

SIR: The bureau desires you to proceed to New York and communicate with Commodore Bell at the New York navy yard, on the 15th day of June, present.

Commodore Bell and yourself are to constitute a board, of which Commodore Bell is the senior officer, to examine and decide upon a claim presented to the bureau by Mr. Norman Wiard for two 50-pounder semi-steel rifled guns.

These guns were originally fired and reported upon by you, and you therefore have already a full understanding of the case.

Copies of the correspondence will be sent to Commodore Bell, which, with the letter of instructions of this date to him, contained, it is believed, all that is necessary for your guidance.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

Commodore R. B. HITCHCOCK,
*Inspector of Ordnance, Cold Spring, New York.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, June* 8, 1864.

SIR: Commodore Hitchcock has been ordered to report to you at the New York navy yard on the 15th day of June, and with yourself is to constitute a board, of which you are to be the senior officer, to examine and decide upon a claim presented to this bureau by Norman Wiard for two 50-pounder semi-steel guns.

This claim has twice before been presented to the bureau, at different times, and rejected on each occasion. It is now presented for the third time, and under the sanction of the Navy Department it has been agreed with Mr. Wiard that a board shall be appointed by the bureau, to whom the case shall be submitted, with the distinct understanding that the decision of this board is to be final and conclusive.

Mr. Wiard is to be allowed to appear before you in person, or by deputy, to submit to you his views of the case.

The bureau will forward you copies of the correspondence on file relating to the matter, which, it is believed, is all that is necessary to enable you to arrive at a full and clear understanding of the case.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

Commodore H. H. BELL,
*Inspector of Ordnance, Navy Yard, New York.*

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[Unofficial.]

WEST POINT FOUNDRY,
*Cold Spring, Putnam Co., New York, June* 10, 1864.

SIR: Permit me to ask if, among the correspondence, which you mention as being sent to Commodore Bell, are the letters relating to permission being given to Mr. Wiard to land the guns at the navy yard for his convenience, subject to being received by the bureau. I addressed a letter or letters to the bureau on this point, but such was the pressure of work at that time, I kept no copies of my correspondence, only a note book, which (I believe) is in Boston. Captain Gansevoort, who was ordnance officer at New York, may remember the transaction, as a mistake was made in reporting these guns as being received, and corrected on my calling his attention to it. I think this a matter of importance in deciding upon this claim.

The facts in the case are, and we should be able to show it, that Mr. Wiard wished to take the guns from Staten Island, where they were fired, to the navy yard, so as to avoid transportating them a second time. I informed him that I would assist, but that it would not be considered a delivery. The commandant of the yard was informed of this arrangement by me. After the guns were sent to the yard, Captain Gansevoort reported the guns as *received*. I called his attention to the mistake, and it was corrected.

Cannot the papers of Mr. Wiard, which you sent me for perusal, be put before the board? Is Missroon on the board?

I hope you are better, and am very sorry you have been sick.

Yours, very truly,

R. B. HITCHCOCK.

Captain H. A. WISE, U. S. N.,
*Chief of Ordnance, Navy Department, Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, June* 11, 1864.

SIR: Referring to your letter of May 23, accepting the proposition of the bureau for a final settlement of your claim for two 50-pounder rifles, and requesting a copy of the letter of instructions to the board appointed to decide upon said claim, Commodore H. H. Bell and Commodore R. B. Hitchcock will constitute the board, and are directed to meet at the New York navy yard on the 15th instant.

The bureau forwards you herewith copy of the letter of instructions to the board, dated June 8, and it is to be distinctly understood that the decision of this board is to be accepted by you as a full and final settlement of all your claims on this bureau for these 50-pounder rifles.

I am sir, your obedient servant,

R. AULICK,
*Assistant Chief of Bureau.*

Mr. NORMAN WIARD,
23 *Gramercy Place, New York.*

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TRENTON WIARD IRON WORKS,
*Trenton, June* 13, 1864.

I have just received your letter of the 23d ultimo, with notice of the appointment of a board of officers to examine and decide upon my claim for payment for two steel 50-pounder rifles now at the New York navy yard. I accept the conditions, viz: That the decision of the board shall be final; *Provided*, if the decision of the board is averse to payment of the claim, I am to have permission to remove the guns from the navy yard.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington.*

NEW YORK, *June* 16, 1864.

The fair manner in which the whole case connected with my claim for payment for two semi-steel 50-pounder guns has been laid before you by the Ordnance Bureau and the Navy Department leaves but little for me to say further on the subject. I wish, however, to draw your attention to a few facts in connection with this subject:

First. This contract was verbal between Commodore Andrew A. Harwood, Chief of Bureau of Ordnance and Hydrography, and myself, but made in the presence of Mr. Hewitt, whose affidavit has become part of the case, as laid before you. It would have been entirely improper for me, after this contract was so arranged, to have commenced a correspondence in writing with the bureau, bringing in new conditions, as, for instance, increasing the price of the guns, each time I wrote a letter to the bureau, or even assuming to make even the slightest change in the conditions, or for the bureau to do so. Mr. Merritt's affidavit shows, as I have already claimed, that the contract was for a large number of guns. It also shows that no attempt at concealment was made of the fact that I had grave apprehensions (in which the chief participated) that there might be many failures in making the first five or 10 guns. No mechanic would have assumed a greater risk than I did in agreeing to lose so many of the guns I fabricated, as might prove to have defects, as the government at this time was much in want of guns, and could not get them without the aid of private firms. Further, no one knew what difficulties would be met with in fabricating a new gun of this description. It was a novel thing to make such rifle guns at this time. Other governments have not yet learned how to make very successfully such ordnance, although millions of money have been expended in the effort.

Third. On the 12th of August, 1861, the Chief of Ordnance wrote me that a large number of the guns would be wanted; and on the 24th of the same month, without any reason assigned, he wrote to me *not* to continue the business of making the guns beyond the five already ordered. I can only account for this action by supposing that in the interval the bureau had found parties to furnish the guns either more rapidly or at less cost. Certainly, no fault could be found with the alacrity with which I took hold of the work, for I had not at this time received all the drawings and instructions from the bureau with regard to the guns. On the 30th of the same month I received the directions for rifling the guns. Again, September 24, instead of an anxious inquiry of why I did not produce guns faster, comes a letter asking an explanation why so many guns were made. I did not wish to be taken by surprise when appearing before you to ask payment for two guns made and delivered at the navy yard, before any gun had failed: and to prevent anything so disagreeable, I asked as one of the conditions upon which I accepted your decision as a final settlement, that I should be furnished with a copy of instructions of the bureau to you. I have been so furnished, and find in the instructions no reference to any rule of the Ordnance Bureau relating to the rejection of guns; and although I am now aware that a book of instructions to inspectors, at the time I made the verbal contract to make these guns, was in existence, I could not obtain it, notwithstanding I made diligent inquiries for it, and asked for it several times. I concluded that the Chief of Ordnance did not intend to subject me to such stringent rules at the time he made the contract with me; and this view of the case, in the absence of any other to be drawn from the papers forwarded to you, must be accepted by you, especially as it is not now for the first time presented, and is nowhere deprecated by the correspondence or instructions forwarded by the bureau to you. Under these circumstances I think you should decide to pay me for these guns; also, because they have been made exactly to conform to the agreement, and have been long since in your possession, delivered according to written instruction from the bureau in the letter of October 18, 1861; also, because you have precedent for so doing in the action of the bureau in *paying me* for five boat howitzers, *made upon a like order, delivered after a like inspection* at the navy yard *upon the same order*, and *received* at the yard *in the same manner* precisely.

Further, one 50-pounder of the same kind was tested, accepted, delivered, and paid for upon precisely similar conditions in principle. I have a contract which provides for the payment to me of one-half the price before firing, and I have been informed that the bureau has heretofore paid for guns of wrought iron contracted for with Mr. Ames, at about the same time, none of which guns were considered fit for service. I have also seen the correspondence in relation to the Stafford projectile, in which a proposal is made by the bureau to the manufacturers to pay for so much of the work delivered as had been ordered, notwithstanding it was known to the bureau that the projectiles were not fit for service.

In conclusion, gentlemen, I consider you to be the judges to decide between the government and myself in relation to this claim for payment. You are not, as I understand it, to decide this matter as if you were a part of the government, and consequently an interested party, but are to act as between two parties having equal claims to your attention. Your decision is to be final, and I shall have great satisfaction in the reflection, even if the decision is adverse, that it was made by gentlemen so well qualified by official experience and recognized reputation.

Respectfully yours,

NORMAN WIARD.

Commodore H. H. BELL,
Commodore R. B. HITCHCOCK,
*Navy Yard, Brooklyn, New York.*

NAVY YARD, *New York, June* 18, 1864.

The undersigned met at the navy yard, New York, June 15, 1864, agreeably to an order marked A, appended hereto, to examine into and decide upon a claim presented by Mr. Norman Wiard for payment for two 50-pounder semi-steel guns, which he alleges to have delivered at the navy yard New York, in compliance with an order from the Bureau of Ordnance. Mr. Norman Wiard, also, was present in person.

The bureau having furnished the board with copy of the correspondence and papers relating to the case, one of the members of the board then read aloud the said correspondence. Having finished the reading, Mr. Wiard was requested to state his views in writing, next day. June 16, the board met again. Present, Commodore H. H. Bell and Commodore R. B. Hitchcock; Mr. Wiard also present, but not having his statement ready, the board again adjourned until the next day. June 17, the board met pursuant to adjournment. Present, Commodore H. H. Bell and Commodore R. B. Hitchcock. Mr. H. L. Stuart appeared and delivered a paper, marked B, appended hereto, from Mr. Wiard, and stated that Mr. Wiard, having nothing more to offer, would not attend.

The board then proceeded to consider the evidence and the statement of Mr. Wiard, in relation to the claim before them, and are clearly of the opinion:

That the bureau agreed, August 1, 1861, to purchase of Mr. Norman Wiard semi-steel 50-pounder rifle cannon of his fabrication, the said guns to conform strictly to the directions and drawings presented; and when made according to these stipulations, to be subject to inspection, and if accepted, to be paid for at the rate of 85 cents per pound; the bureau to be the judge of Mr. Wiard's compliance with the conditions of the agreement, and binding itself to take but five guns. August 28, 1861, the bureau assented to taking five more guns at the reduced price of 80 cents per pound, the bureau repeating "that the reception of these guns depends necessarily upon the proof."

The bureau appointed Commodore R. B. Hitchcock to subject the guns offered under this agreement to such trial as would test their fitness for service and justify the bureau in accepting them.

The first gun offered under this agreement was fired by Commander R. B. Hitchcock 350 times, with five pounds of No. 7 powder (equal to one-tenth the weight of the solid projectile, the proportion used in proving and serving Parrott guns) and one Hotchkiss shell. This gun the bureau accepted and paid for, as is usual with all "trial guns" tested by its order; and the bureau, October the 18th, requested Mr. Wiard to complete the remaining 50-pounders with all dispatch, adding that "as soon as the guns are inspected and proved they are to be delivered at the New York navy yard."

Of these 50-pounders offered by Mr. Wiard, Commander Hitchcock fired five with common service charges, viz: five pounds of No. 7 powder (one-tenth the weight of solid solid projectile) and one Hotchkiss shell. Two only of these five guns endured 10 service rounds; the other three gave way under that slight proof. On the bursting of the last one a false chamber was discovered to have been inserted in it.

In this instance two out of six burst, and the third gave way in the bore, breaking out a piece of one of the lands. There is a rule of the bureau which rejects the whole of a lot of guns when one in 20 shall fail under ordinary proof. The old rule was that the failure of one in 10 should cause their rejection.

These results were convincing that none of those five guns were to be trusted and they were accordingly rejected by the bureau December 10 and 11, 1861.

Before such rejection the two guns which had endured the 10 service rounds were moved from the proving ground at Staten Island by Mr. Wiard; and as they would pass the navy yard en route to Mr. Wiard's establishment, he was permitted by Commander Hitchcock to land them there, (not deliver them,) subject to the decision of the bureau, (see Hitchcock to bureau, December 10, 1861,) their inspection not being complete, neither the waterproof having been applied to them nor the marks of acceptance, viz., of inspection and proof, put on them.

It is for these two guns that Mr. Wiard now asks payment from the bureau.

The liability of the bureau is decided by the answer to the question: Had the bureau a right to reject the two guns which endured the 10 service rounds, as it did do on the 10th of December, 1861?

The claimant relies upon the original order of August 1, 1861, and the letter of the bureau, October 18, 1861, which reads, "as soon as the guns are inspected and proved they are to be delivered at the New York navy yard."

In the original proposition, August 1, 1861, after all other stipulated conditions were filled, the guns were still left subject to the inspection and acceptance of the bureau; and in the order of October 18, they were to be delivered at the New York yard only after inspection and proof.

The guns were of a new and untried kind, and the bureau did not limit itself in the inspection and proof to which they were to be put, but left itself at liberty to put them to such trial as it might deem proper and necessary to test their fitness for service. It appears to have proceeded fairly and considerately towards the manufacturer in subjecting the guns, after accepting and paying for the trial gun, to a trial of only 10 service rounds.

Had the bureau not been convinced of the fitness or unfitness of these guns by the service

rounds to which they were subjected, it would have been at liberty to subject them to further tests. But the tests of the service rounds proved conclusively, in the judgment of this board, the impropriety of accepting any of them for service, and justified the bureau in rejecting them, as it certainly had the right to do; and this without taking into consideration the dangerous fraud of the false chamber which had been inserted into one of the guns by the manufacturers.

In conclusion, the board is of the opinion that the two 50-pounder guns referred to were never accepted, and should not be received into service, and that Mr. Wiard is not entitled to payment for them from the Bureau of Ordnance, Navy Department.

Very respectfully, your obedient servants,

H. H. BELL, *Commodore.*
R. B. HITCHCOCK, *Commodore U. S. N.*

Commander HENRY A. WISE,
*Chief of Bureau Ordnance, Navy Department, Washington, D. C.*

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No. 118.] WEST POINT FOUNDRY, *June* 20, 1864.

SIR: I returned from New York on Saturday evening. The work on Mr. Wiard's application for payment for two 60-pounders was completed, except the "smooth copy." The correspondence was read to Mr. Wiard, and he made a written statement of his case.

Your order of June 18 received. The four 150-pounders can be finished in a week or two, but they are "water core" guns. The only order that I have for guns of this kind are for 100-pounders. Please inform me if these guns are to be "water cores."

Very respectfully, your obedient servant,

R. B. HITCHCOCK,
*Commodore, Inspector of Ordnance.*

Captain H. A. WISE, U. S. N.,
*Chief of Ordnance, Navy Department, Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, June* 24, 1864.

SIR: The bureau is not yet in receipt of the report of the board appointed to meet on June 15, to decide a claim of N. Wiard for two 50-pounders, and desires it to be forwarded at your earliest convenience.

I am, sir, your obedient servant,

R. AULICK,
*Assistant Chief of Bureau.*

Commodore H. H. BELL, U. S. N.,
*Inspector of Ordnance, Navy Yard, New York.*

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No. 362.] ORDNANCE OFFICE, NAVY YARD,
*New York, June* 30, 1864.

SIR: I have forwarded by mail this day the decision (together with all papers relating thereto) in the case of the claim of Norman Wiard for two 50-pounder rifles.

I am, very respectfully, your obedient servant,

H. H. BELL,
*Inspector of Ordnance.*

Commander HENRY A. WISE, U. S. N.,
*Chief of Bureau of Ordnance, Washington, D. C.*

Forwarded by A. Ludlow Case, for commandant.

---

No. 363.] ORDNANCE OFFICE, NAVY YARD,
*New York, June* 30, 1864.

SIR: I forward by mail to-day the papers relating to the claim of Norman Wiard for payment for two 50-pounder semi-steel guns, and the decision of Commodore Hitchcock and myself in the case.

I also return by mail the copies of the correspondence relating thereto, which were forwarded to me by the bureau on the 11th June.

I am, respectfully, your obedient servant,

H. H. BELL,
*Inspector of Ordnance.*

Commander HENRY A. WISE, U. S. N.,
*Chief of Bureau of Ordnance, Navy Department, Washington, D. C.*

Forwarded by A. Ludlow Case, for commandant.

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, April* 18, 1866.

SIR: Referring to the sale of cannon at the New York navy yard on the 10th of January last, be pleased to inform the bureau which of the Wiard 50-pounder rifles was then sold, the name and address of the parties that bought it, the price realized, and whether it had trunnions forged on it; or was it fitted with trunnion straps like the Dahlgren 80-pounders?

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau.*

Commander J. R. M. MULLANY,
*Inspector of Ordnance, New York Navy Yard.*

---

ORDNANCE OFFICE, NAVY YARD,
*New York, April* 20, 1866.

SIR: Referring to bureau's letter of April 18, 1866, requiring information relative to the Wiard 50-pounder rifles sold at auction at this navy yard on the 10th of January last, in reply, I would respectfully state that there were *two* Wiard 50-pounders sold on that day, both being included in lot No. 15; they were purchased by Messrs Colwell & Brothers, who have a foundery at the foot of Twenty-seventh street, North river, New York city. The price realized was thirteen-sixteenths of a cent per pound, the aggregate being as follows, viz: Gun No. 4, 5,334 pounds, (being the weight exclusive of the composition strap,) brought $43 33.87; and gun having no number, 5,305½ pounds, (being the weight exclusive of the composition strap,) brought $43 10.71, making a total of 10,639½ pounds; which, at thirteen-sixteenths of a cent per pound, makes the amount realized from the sale of both guns $86 44.58.

Both of these guns were fitted with trunnion straps like the Dahlgren 80-pounders. Before delivery, said composition straps were taken off and the guns spiked.

There is still on hand at this navy yard one Wiard 50-pounder rifle, registered No. 6, and weight 5,678 pounds, which was ordered to be reserved.

I am, sir, very respectfully, your obedient servant,

J. R. M. MULLANY,
*Commander and Inspector of Ordnance.*

Commander HENRY A. WISE,
*Chief of Bureau of Ordnance, Washington City, D. C.*

Forwarded by Charles H. Bell, commandant.

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NO. 22 EIGHTEENTH STREET, NEW YORK, *June* 8, 1866.

DEAR SIR: I am informed that Mr. N. Wiard is in Washington endeavoring to collect money for two 50-pounder steel guns that were sold to Mr. Colwell from the Brooklyn navy yard, one of which was cut up and the other repurchased to be retrunnioned and returned to Wiard, instead of some $5,000 in cash.

I have three of the same guns and will sell one to the department for $3,000, to supply the place of the one destroyed. The gun is boxed, and could be placed on a tug and delivered in the navy yard Sunday, as it lies, or rather all of them lie, in a shop near the dock at the foot of Twenty-ninth street and East river. Wiard owes me and others, and will cheat every one if he gets the money; and if he gets the two guns I can easily have them seized on an execution, so that he would be brought up all around as he richly deserves to be. This is confidential, and if you wish the guns notify me on receipt of this, by telegraph or in writing, immediately. Address me at No. 22 East Eighteenth street.

R. S. NEWTON.

Captain H. A. WISE,
*Chief of Bureau of Ordnance.*

N. B. Please inform me if Wiard has collected anything in the way of claims against the United States.

N. B. I am well acquainted with the manner Mr. Wiard has troubled his creditors and all who have aided or trusted him.

---

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, June* 12, 1866.

SIR: I am in receipt of your note of the 8th instant, and in reply desire to inform you that Mr. Norman Wiard has not any business relations with this bureau, all claims having been entirely settled some months since.

There is no intention on the part of the bureau to return or remunerate Mr. Wiard or anybody else for the 50-pounder guns you allude to, nor are any more required by this department.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau.*

Mr. R. S. NEWTON,
*No. 22 East Eighteenth Street, New York.*

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[Extract from memorandum of Chief of Bureau of Ordnance to Navy Department, dated July 6, 1866.]

Two of the guns which he claims are still in the New York navy yard, although he has been repeatedly told to take them away.

[The whole of the memorandum may be found under the heading of 15-inch guns.]

---

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, March* 12, 1869.

SIR: Referring to the letter of Captain Mullany of the 20th April, 1866, in relation to the sale of Wiard 50-pounders, be pleased to inform the bureau what Wiard 50-pounders are now in the New York navy yard; what marks or numbers are upon them, with any other data by which each gun may be identified.

Please answer by return mail.

I am, sir, your obedient servant,

J. A. DAHLGREN,
*Rear-Admiral and Chief of Bureau.*

Captain J. J. ALMY,
*Inspector of Ordnance, Navy Yard, New York.*

---

No. 66.] ORDNANCE OFFICE, U. S. NAVY YARD,
*New York, March* 13, 1869.

SIR: The bureau's letter of the 12th instant, in relation to Wiard 50-pounder guns on hand at this station, is received.

In reply, I have the honor to state that there are two of those guns at present on the ordnance dock; one of them, marked 6-5678-1861, (banded,) was directed to be *reserved* by the bureau in its letter of December 13, 1865, and the other is without marks or numbers of any description.

There is no record on file in this office to show when, or from whence, these guns have been received.

I am, sir, very respectfully, your obedient servant,

JOHN J. ALMY,
*Captain and Inspector of Ordnance.*

Rear-Admiral JOHN A. DAHLGREN, U. S. N.,
*Chief of Bureau of Ordnance, Washington City, D. C.*

Forwarded by Stephen D. Trenchard, for commandant.

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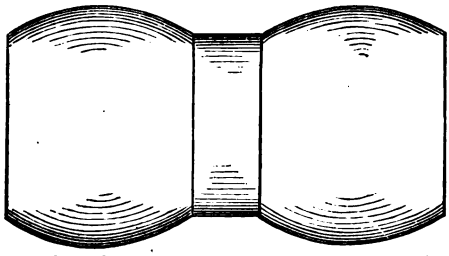
No. 5. TRYON ROW, *New York, March* 29, 1863.

SIR: I forward to you by my representative, H. L. Stuart, the drawings for a cast-iron gun of 15-inch caliber, to weigh 43,000 pounds, and the drawings for a rifle cast-iron gun of 10-inch caliber, to weigh 43,000 pounds, and a model exhibiting the principal peculiarities of both guns.

I make to you the following propositions:

1. On receiving an order from the Navy Department to make one or both the said guns, accompanied by an engagement in such form and terms as shall be agreed upon, that the department will advance to me from time to time, to be agreed upon, one-half the contract cost of producing both or either of said guns, I will fabricate the smooth bore of 15 inches caliber, to weigh 43,000 pounds, nearly following the accompanying drawings, to be cast hollow, and bored so nearly to the size as to come within the variations allowed by ordnance inspectors, and to have no cavities outside or inside, for which it would ordinarily be rejected. When completed I will permit it to be subjected to the following test, viz: One charge of 80 pounds of No. 7 quickest-burning powder, Hazard's or Dupont's, and two solid shot, with the usual windage, to be cast in pairs in this form, and to weigh together 900 pounds, and to have flattened ends that they may not crush in the gun; then 20 charges of 60 pounds of the same powder, and one shell of 330 pounds weight to each charge, to be fired with the greatest possible rapidity.



2. If the gun stands this test, it is to be immediately accepted by the Navy Department, and paid for at the price of 25 cents a pound, less the amount advanced as above agreed: and the Navy Department shall then immediately give me an order for guns of a like size, made from the same iron, in the same manner and form, at the price of 16 cents a pound.

3. If the first gun should fail to stand this test, I am to have the privilege of making one or two more trials on the same caliber of gun, and on the same conditions; and when I succeed within that number all the conditions are to hold the same as if the first gun had endured the test.

When I have succeeded in making a 15-inch gun that shall stand the above test, I will fabricate, on the same conditions, a 10-inch caliber rifle gun that shall be submitted to a similar test, but only proportionally severe; and I will afterwards proceed to produce in succession all the larger sizes of guns used in the navy, on the same conditions, and submit them all to similar and proportional tests; those upon the plan of the 15-inch smooth bore for 16 cents a pound, and those upon the plan of the rifled gun for 18 cents a pound.

Very respectfully,

NORMAN WIARD.

Hon. GIDEON WELLES,
*Secretary of the Navy.*

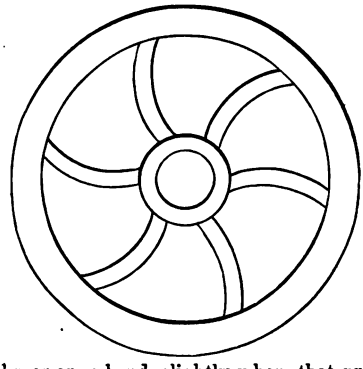
*Description.*

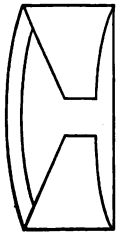
This is a cast-iron gun. A A A is the cylinder or metal surrounding the bore; *b b b* are webs connecting the cylinder and reinforce, the spaces between the webs being "cored out," leaving the webs of the doubly curved form shown, *c c c*. The reinforce being cast of greater thickness than any other part of the gun casting, it will cool last and shrink upon the webs, compressing the webs upon the cylinder. If the webs were flat and arranged on the radical lines the reinforce would be broken by the irregular radical shrinkage, and the webs forward of the reinforce reaching along the chase would be broken by the later shrinkage of the reinforce lengthwise of the gun. For this reason the webs are cored radically, and when the reinforce has contracted sufficiently, the webs bend slightly and the cylinder will turn a little, slightly changing its relative position on the axis of the gun. They are curved longitudinally that the webs may, by slightly extending in direction of length, accommodate themselves to the reduction of length of the reinforce by shrinkage in casting. An

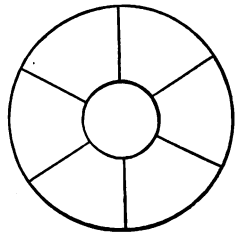
example of this effect of irregular cooling may be seen in the Ordnance Office on a casting I presented to Captain Wise. The thickness of the reinforce can be so proportioned as to press through the webs with a force that will about equal the full pressure of powder. No crack could then occur in the bore or chamber, as the webs would convey the pressure directly to the reinforce. If any enlargement occurs from the heat of the powder communicated to the cylinder, the webs will bend *further* without relieving their resistance to the pressure; and when the cylinder is extended lengthwise by heat, no undue strain will occur, as the length of the webs will be but somewhat further extended without relaxing their strength to resist undue extension. Like faithful sentinels, all parts of this gun stand ever ready for duty, never leaving their position, never relaxing their vigilance nor expending their strength in vainly trying to resist forces that cannot be resisted—forces that need not be restrained.

It is not necessary, in order to make a gun on this form to weigh 16,000 pounds, to cast a block to weigh 23,000 pounds, and then waste four tons of iron, that now costs $60 a ton, by cutting it into chips.

The large increase of cooling surface will insure greater uniformity in the structure of the metal of the gun, and consequently greater endurance to resist those forces acting to abrade or condense the gun metal. In this manner of casting a gun, the ***strongest metal will make the strongest gun.*** If, by any accident, a gun is not perfectly cast it may be broken up for the furnace again and the metal saved. Large guns do not ordinarily have this advantage. It costs more to cut up a large gun than the metal is worth. A large gun made on this plan may be easily disabled if it becomes necessary to do so, upon evacuating a post. * * * * * * * * * of the outside ring by thickness was sufficient for double the strain, and we wished to restrain a pressure on the even surface of the bore of 5,000 pounds to the square inch, it would be proper to arrange the inner ring, the webs or spokes, and the reinforce or outside ring in this manner, with curved arms that would not bend with less than that pressure, shrinking the reinforce on to give a pressure that was equal to 5,000 pounds on the square inch of the surface of the bore, and the webs or arms bend slightly when that pressure was attained. Then if heat were applied to the inner ring at the same time as the pressure, it would only have the effect to bend the webs more, while they would still press upon the inner ring sufficiently to resist the pressure. If we cut off a section of a 150-pound Dahlgren rifle gun where it is of largest diameter, the section having six inches of the length surface of the bore and a proportionate part of the whole outside surface, the section would







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THE TRENTON LOCOMOTIVE AND MACHINE MANUFACTURING COMPANY,
*Office Trenton, New Jersey, March* 21, 1863.

DEAR SIR: We have examined your model of a cannon with great interest, and believe you have therein practically applied important philosophical principles which may revolutionize the whole theory of great guns. We shall be glad to take * * * We should require $1,000 before commencing the work.

6. If the gun proves a success we will thereafter make them for such parties as will order, paying you a royalty of third the net profit we receive.

I send your model back by express this p. m., as promised.

Very truly,

JOS. C. POTTS, *Treasurer.*

MR. NORMAN WIARD.

---

NEW YORK, *April* 1, 1863.

SIR: After listening to an explanation of the principle upon which you propose to construct your cast-iron gun, made with a series of web between the cylinder and the reinforce, and after having carefully examined that principle, I am happy to be able to say that I regard it as correct in theory as I have no doubt it will prove to be in practice. Every thoroughly practical man knows that there are certain rules of proportion to be observed in constructing any

device of cast iron; these rules and conditions you have strictly observed, and the result I believe to be as perfect a gun, as far as strength is concerned, as it is possible to produce from that kind of material.

Respectfully yours,

JAMES M. BLANCHARD.

Mr. NORMAN WIARD.

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NAVY DEPARTMENT,
*Washington City, April* 3, 1863.

GENTLEMEN: The Navy Department has this day received the accompanying proposal, together with the plans and models herewith transmitted, from Mr. Norman Wiard, of New York, in which he offers to construct cannon of large caliber upon a new and untried method.

As the department is disposed to afford every opportunity to inventers and mechanics in the production of powerful and effective ordnance, you are hereby appointed a board to examine and report upon the material and the terms of this proposition, and whether in your opinion they are of such a nature as can be properly accepted by the government.

The *number* of guns will be left to the consideration of the Navy Department.

Very respectfully, your obedient servant,

GIDEON WELLES,
*Secretary of the Navy.*

Captain J. G. BENTON, *United States Army*,
Commander H. A. WISE, *United States Navy*,
Commander W. N. JEFFERS, *United States Navy*.

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*April* 7, 1863.

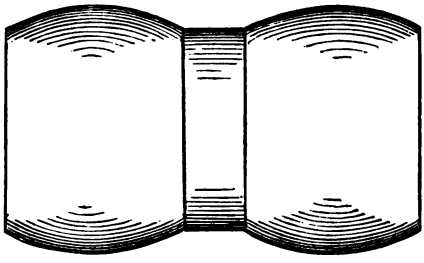
SIR: The board convened by your order of April 3 assembled in the Bureau of Ordnance of the Navy Department at 10 a. m. to-day, and proceeded at once to perform the duty assigned it.

As a preliminary step the order convening the board was read, and the propositions of Mr. Wiard, together with his model and drawings, were carefully examined in detail.

From this examination, its subsequent deliberations, and the personal explanations of Mr. Wiard (see memorandum hereto annexed) the board unanimously reports:

That with reference to the first proposition of Mr. Wiard, which is as follows:

"On receiving an order from the Navy Department to make one or both the said guns" (named in his introductory paragraph as a 15-inch, to weigh 43,000 pounds, and a 10-inch rifle gun of the same weight, both cast iron,) "accompanied by an engagement in such form and terms as shall be agreed upon, that the department will advance to me from time to time, to be agreed upon, one-half the contract cost of producing both or either of said guns, I will fabricate the smooth bore of 15-inch caliber to weigh 43,000 pounds, nearly following the accompanying drawings, to be cast hollow, and bored so nearly to the size as to come within the variations allowed by ordnance inspectors, and to have no cavities outside or inside for which it would ordinarily be rejected. When completed will permit it to be subjected to the following test, viz: One charge of 80 pounds of No. 7 quickest-burning powder, Hazard's or Dupont's, and two solid shot, with the usual windage, to be cast in pairs in this form, and to weigh together 900 pounds. and to have flattened ends that they may not crush in the gun; then 20 charges of 60 pounds of the same powder, and one shell of 330 pounds weight to each charge, to be fired with the greatest possible rapidity."—The first gun thus made would involve a cost in manufacture of about $5,000 on the part of the government, or, in other words, the half of 43,000 pounds at 25 cents per pound; and, as offered in the third proposition, should the first gun fail and two other guns are ordered for trial, an additional expenditure of $10,000 would be necessary.



Although this method of Mr. Wiard is entirely "new and untried," yet as the inventor seems confident that he is able to produce thereby a gun of superior endurance to all others, and the Navy Department "is disposed to afford every opportunity to inventors and mechanics in the production of powerful and effective ordnance," the board does not see anything in this first recited proposition which the government could not accept, especially as Mr. Wiard has stated to the board that he does not insist upon an advance of money for the fabrication of the first gun; but that when it has been successfully cast, bored, and inspected, one-half of the cost of its manufacture shall be paid to him; and, should this gun *fail in proof, the money* so advanced is not to be returned by him. The fragments of the *condemned gun, however*, are to be the property of the government, and to be used for the

next experimental gun which may be ordered from him by the department. This statement should be embraced in the terms of the contract which may be entered into with Mr. Wiard.

The board recommends, however, that all the work of fabricating this first gun, and the proof thereof, shall be conducted under the supervision and in the presence of an ordnance inspector, in order that the department may be in possession of all the facts.

And further, that the first, and all subsequent guns made for trial on this method, shall be cast according to the proposition and plans now under consideration, together with the memorandum appended hereto as part of this record.

The second proposition of Mr. Wiard, viz:

"If the gun stands this test, it is to be immediately accepted by the Navy Department, and paid for at the price of 25 cents a pound, less the amount advanced as above agreed upon; and the Navy Department shall then immediately give me an order for —— guns of a like size, made from the same iron, in the same manner and form, at the price of 16 cents a pound"—

Being a question of *price*, the board thinks should be decided entirely by the result of the first proposition, and governed by the relative cost of the first gun, the items of which, in detail, it should be the duty of the officer noting and supervising the proceedings at the foundery to carefully ascertain and report to the department.

To the third and fourth propositions the board answers that in its opinion the department should not, until the trial gun has been successfully cast and proved as stipulated in the first proposition, bind itself either to calibers or price per pound for any guns of this kind it may think proper to order from Mr. Wiard; but recommends, nevertheless, that a second or third trial be afforded him in case of failure in the first gun; leaving, however, as directed by the final paragraph of your order, the *number* of guns to the discretion of the department.

In conclusion, the board appends, for the information of the department, a brief memorandum made during its interview with Mr. Wiard while deliberating on his propositions, and which, being read to him in presence of the board, he assented to as entirely correct.

We have the honor to be, very respectfully, your obedient servants,

J. G. BENTON,
*Captain Ordnance U. S. Army.*
H. A. WISE,
*Commander U. S. Navy.*
WM. N. JEFFERS,
*Lieut. Commander U. S. Navy.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

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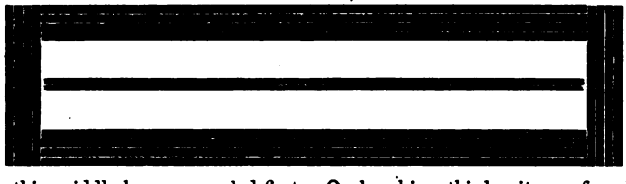
## MEMORANDUM.

The plan of Mr. Wiard now before the board is based entirely upon the idea and system of the ordinary car wheel.

He exemplified the shrinkage of iron (cast) by a casting like this sketch,



in which the thin middle bar was cooled first. On breaking this bar it was found impossible to readjust it.

He stated that founders and mechanics all think well of his "method" of casting guns.

He proposes to determine the amount of pressure upon the "webs" (ogee curves) by an experimental section.

The vent of the gun is to pass through one of the "webs."

The weight of the trial 15-inch is to be about the same as the present ordinary 15-inch; the diameter at muzzle nearly the same, and he contemplates an increase of thickness in the "webs" in the event of the first not being thick enough.

He expects to make a gun on this plan in a month.

For casting such guns an ordinary flask will not answer; it must be made in sections; the metal poured by runners into six places at the breech, the gun being cast muzzle up, and hollow, around a wrought-iron core barrel, which Mr. Wiard has no fear of being calcined, although he intends to use no water introduced into the core. He expects the casting to "set" in 1½ hour.

He also desires the *number* of "webs" to be optional—at present they are shown as 17—but the general plan of his "method" is not to be changed.

BUREAU OF ORDNANCE, NAVY DEPARTMENT, *April* 7, 1863.

The Secretary of the Navy approves the recommendations of the board, according to the views herein presented, and directs it to enter into contract with Mr. Norman Wiard for twenty (20) guns, based upon the success of the trial gun, of such calibers as the board may deem expedient.

G. V. FOX,
*Assistant Secretary.*

APRIL 8, 1863.

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NAVY DEPARTMENT, *Washington, D. C., April 9*, 1863.

SIR: We have the honor herewith to submit for your approval a draft of a contract which we have drawn up, in obedience to your order of the 8th instant, with Mr. Norman Wiard, for the construction of a trial 15-inch gun and other guns in accordance with his plan submitted to the department.

We have the honor to be your obedient servants,

J. G. BENTON,
*Captain Ordnance U. S. A.*
H. A. WISE,
*Commander U. S. N.*
WILLIAM N. JEFFERS,
*Lieut. Comdr. U. S. N.*

Hon. GIDEON WELLES,
*Secretary of the Navy, Washington, D. C.*

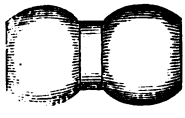
This contract made and entered into this 10th day of April, 1863, between the Honorable Gideon Welles, Secretary of the Navy, acting for and in behalf of the United States of America, of the first part, and Norman Wiard, of the city and State of New York, as principal, of the second part, witnesseth: That, for and in consideration of the stipulations hereinafter mentioned, the said party of the second part agrees:

1. To cast, finish, and prepare for proof, and furnish a suitable place and means for mounting and proving, a trial smooth-bore gun of 15 inches caliber, modeled upon the plan heretofore presented, to weigh 43,000 pounds, to be in length of the dimensions of the navy 15-inch guns mounted in the turret vessels.

2. The finished castings shall be free of all defects or cavities on the exterior or interior for which the naval service guns would be rejected; the bore shall be within the regulation limits, and the preponderance as established by the regulations of the Navy Department.

3. During the fabrication (of the time of commencement of which the Navy Department shall be informed) the officer who may be appointed to examine and superintend, on the part of the government, the progress of the work shall be afforded all necessary facilities to ascertain all the details of molding, casting, qualities and kinds of iron and fuel used, arrangement of the pit and flasks, and everything bearing on the peculiarities of this method of casting guns.

4. When the gun is completed, and reported ready for proof by said party of the second part, one-half the value of said gun completed, at 25 cents per pound, shall be paid or caused to be paid by the said party of the first part; and as soon thereafter as may be convenient it shall be subjected to the following proof: One charge of 80 pounds of No. 7 quickest-burning powder, Hazard's or Dupont's, and two solid shot, with the usual windage, to be cast in pairs in this form, and to weigh together 900 pounds, and to have flattened ends, that they may not crush in the gun. Then 20 charges of 60 pounds of the same powder, and one shell of 330 pounds weight to each charge, to be fired with the greatest possible rapidity.



5. If the gun stands the proof without other injuries than those allowed by regulation, it is to be immediately accepted by the Navy Department, and paid for at the rate of 25 cents per pound, less the amount which may have been advanced under the provisions of article 4; and the said party of the first part agrees to forthwith give the said party of the second part an order for 20 guns formed upon the same plan, of such calibers as may be required by the exigencies of the naval service, of not less than 10 inches caliber, made of the same iron, in the same manner, as the trial gun, but not more than two calibers shall be required; which guns said party of the second part agrees to furnish at 16 cents per pound.

The guns shall be finished in a workmanlike manner; the variations in dimensions of the finished guns shall not exceed those allowed in service guns, and they are to be subjected to the same proof as guns of like caliber in the naval service.

6. If the first or trial gun should fail to stand this test from any defect of fabrication, the said party of the second part shall be permitted to cast a second trial gun subject to the same conditions and tests as the first gun, which, if it proves successful, shall be taken as the trial and model gun. In the manufacture of this gun the fragments of the first one may be used by the said party of the second part. If the second trial gun should also fail, this contract is to be void and of no effect, and the rejected gun or guns and their fragments shall become the property of the government.

7. The first gun shall be ready for trial within two months of the date hereof, and should

this gun fail, the second trial gun shall be ready within one month after the date of the failure of the first one.

8. The date of the delivery of the 20 guns provided for in article 5, should they be ordered, will be determined by an agreement to be made between the contracting parties. The conditions of payment for the 20 guns aforesaid to be those usual in contracts made by the Navy Department for ordnance, viz: "No other charge to be admitted nor allowances to be made by the United States for or on account of this contract, and *twenty* per centum to be withheld from the amount of all payments due on account thereof as collateral security, and not in any event to be paid except by special authority of the Secretary of the Navy until it is in all respects complied with by the parties, and *eighty* per centum of the amount of all deliveries will be paid by the Navy Department within 30 days after bills duly authenticated shall have been presented to him.

And the said party of the second part does further engage and contract that no member of Congress, officer of the navy, or other person holding any office or appointment under the Navy Department, shall be admitted to any share or part of this contract or agreement or to any benefit to arise thereupon.

And it is hereby expressly provided, and this contract is upon this express condition, that if any such member of Congress, officer of the navy, or other person above named, shall be admitted to any share or part of this contract, or to any benefit to arise under it, or in case the party of the second part shall in any respect fail to perform this contract on his part, the same may be, at the option of the United States, declared null and void, without affecting their right to recover for defaults which may have occurred.

It is further stipulated and agreed that if default shall be made by the party of the second part in delivering all or any of the 20 guns, if they should be ordered, at the times and places which may be provided, that then and in that case the said party will forfeit and pay to the United States, as liquidated damages, a sum of money equal to twice the amount of the contract price herein agreed upon as the price to be paid in case of the actual delivery thereof; which liquidated damages may be recovered from time to time as they accrue.

In testimony whereof, the parties of the first and second parts have hereunto set their hands and affixed their seals at the city of Washington the 10th day of April, 1863.

NORMAN WIARD.
GIDEON WELLES.

Further, in reference to section eight, above, it is hereby agreed and determined by the contracting parties that the dates of the delivery of the 20 guns provided for in article five, should they be ordered, shall be as follows:

One gun per week after the success of the trial gun or guns.

NORMAN WIARD.
GIDEON WELLES.

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No. 23 Gramercy Park, Twentieth Street,
*New York, May* 22, 1863.

Sir: My drawings, patterns, flask, pit, and furnaces are now completed, ready to cast the first 15-inch gun under the contract awarded to me on the 10th day of April, ultimo.

I have a testing furnace constructed for the purpose of making experiments with metals.

All my preparation is now in that state to be fully exhibited to any inspector of ordnance you detail for duty at the foundery, and to whom I am prepared to communicate such particulars as you may direct him to take cognizance of, relating to the fabrication of the guns under the before-mentioned contract.

Will you oblige me by directing an inspector or assistant inspector to attend to this duty at the Trenton Locomotive and Machine Manufacturing Company's Works, at Trenton, New Jersey?

And will you will please give the inspector authority to have specimens tried promptly, to determine the density, the tensile strength, and elasticity, (within permanent set,) and direct that the results be communicated to me?

I shall leave with you a tracing from my drawings of the 15-inch gun, and exhibit to you the drawings I have prepared for a 10-inch rifle 450-pounder.

Very respectfully, your obedient servant,

NORMAN WIARD.

Hon. Gideon Welles,
*Secretary of the Navy, Washington.*

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Washington, D. C., *May* 23, 1863.

Sir: We have the honor to acknowledge the receipt of the communication from Mr. Norman Wiard of 22d instant, referred to the board which recently reported upon and prepared the contract for heavy cannon upon Mr. Wiard's proposition, and, in accordance with the recommendation of said board, we would respectfully suggest that Lieutenant Commander

Jeffers be detailed for the duty of observing the progress of the fabrication of the trial gun, and that the requests of Mr. Wiard in reference to determining the strength and elasticity of the iron be complied with.

Respectfully, your obedient servants,

J. G. BENTON,
*Captain Ordnance.*
H. A. WISE,
*Assistant to Bureau Ordnance.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

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NAVY DEPARTMENT, *May* 23, 1863.

SIR: Upon the suggestion of the majority of the board of which you were a member, which prepared the contract entered into between this department and Mr. Norman Wiard, for the fabrication of cannon, according to the plans and specifications reported upon, you are hereby detailed to proceed to Trenton, New Jersey, and observe and report upon the various processes involved in the manufacture of the trial gun. You are authorized to comply with Mr. Wiard's request, as contained in the inclosed copy of Mr. Wiard's letter to the department, in reference to the determination of the elasticity and strength of the iron used in the work.

The department transmits by express to-day a portfolio containing the plans, contract, correspondence, and papers relating to the business in hand.

Having executed the foregoing instructions, you will return to duty at Philadelphia.

Very respectfully,

GIDEON WELLES,
*Secretary of the Navy.*

Lieutenant Commander WM. N. JEFFERS, U. S. N.,
*Assistant Inspector of Ordnance, Navy Yard, Philadelphia.*

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No. 214.] PHILADELPHIA NAVY YARD,
*Ordnance Department, May* 28, 1863.

SIR: I have to request that a testing machine may be sent without delay to the care of the Trenton Locomotive Works, to enable me to comply with the order of the honorable Secretary of the Navy to test the density, tensile strenth, and elasticity, and transverse strength of the various specimens produced by Mr. Wiard in his trial castings for the determination of the shrinkage and other qualities of the iron in his experimental gun.

He will be ready to make his first casting on Tuesday next, June 2, 1863.

I am, very respectfully, your obedient servant,

WILLIAM N. JEFFERS,
*Assistant Inspector of Ordnance.*

Rear-Admiral JOHN A. DAHLGREN,
*Chief of Bureau of Ordnance, Navy Department, Washington, D. C.*

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NAVY DEPARTMENT, *May* 29, 1863.

SIR: Your letter of May 28, No. 214, to the Bureau of Ordnance, in relation to testing the samples produced by Mr. Wiard in his trial castings, has been referred to this department.

When the necessary specimens are taken from the castings, you will forward them to the West Point foundery, and request Mr. Parrott to test their density, tensile strength, elasticity, and transverse strength, as directed in a previous order, and forward to you a statement thereof for record.

I am, very respectfully, your obedient servant,

GIDEON WELLES.

Lieutenant Commander W. N. JEFFERS, U. S. N.,
*Assistant Inspector of Ordnance, Navy Yard, Philadelphia.*

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TRENTON, N. J., *June* 2, 1863.

SIR: Yours, inclosing the letter of the honorable the Secretary of the Navy, was received yesterday.

I shall proceed to make "comparative test experiments" upon a machine in Mr. Rockling's wire works here, and from these experiments I will decide what metal I will use in the trial gun unless you make some objection to this plan. I will preserve duplicates of all my specimens for the experiments at West Point.

We had fire in both furnaces, viz., the new 10 tons and the testing furnace, on Saturday last, and yesterday (Monday) we melted 100 pounds of iron in the testing furnace, and it worked satisfactorily. To-morrow we shall melt 400 pounds of No. 2 Springfield with 15 per cent. of Franklinite, and cast into a "cylinder" 12 inches diameter into a "bar" two inches square, and a "cone" from which to observe the crystallization, all in a dry mold. I hoped I should have the pleasure of seeing you here to-day, as we have some cores made and set up exhibiting the thickness and force of the webs of the gun, and also the cascabel. I feel much gratified at the result, as the cores come together beautifully.

I hope you will visit the Trenton Locomotive Works soon. Oblige me by communicating the time of your next visit, and also if the plan of conducting the experiments above mentioned *is* approved by you.

Respectfully,

NORMAN WIARD.

Lieutenant Commander W. N. JEFFERS,
*Assistant Inspector of Ordnance, Navy Yard, Philadelphia.*

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NAVY YARD, PHILADELPHIA,
*Ordnance Department, June* 3, 1863.

SIR: Your letter of yesterday received. The intention of the Navy Department in ordering an inspector of ordnance was not in any way to interfere with or control your operations either in the preliminary or subsequent operations of casting guns on your system. I am merely directed to attend that I may record such facts as I observed which might be useful in the founding of ordnance.

As you will record the quantities of iron in the mixtures in the testing furnace, &c., &c., I do not see that it would be of any advantage for me to be present during these preliminary operations, and it interferes with my duties here.

I will be much obliged if you will, therefore, retain a set of specimens from each mixture for trial at West Point, and let me know when you will be ready with any of the principal operations.

Very respectfully, your obedient servant,

WILLIAM N. JEFFERS,
*Assistant Inspector of Ordnance.*

NORMAN WIARD, Esq.,
*Trenton, New Jersey.*

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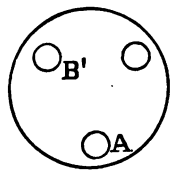
The following notes were made from experiments to determine the character of iron, and the best mixture for the casting of Wiard's 15-inch gun, Trenton Locomotive Works, Trenton, New Jersey:

EXPERIMENT NO. 1.

JUNE 2, 1863.

In testing furnace, capacity 2,000 pounds, charged with—

| | |
|---|---|
| Springfield iron, No. 2, (pounds) | 400 |
| Franklinite iron, (pounds) | 60 |
| | 460 |




Cast a sample block 12 inches diameter, 12 inches long; metal melted at a low heat; two hours melting and in fusion; iron quite strong and gray, rather high.

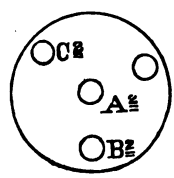
Tensile strength of A, 29,366 pounds.

Tensile strength of $B^1$, 28,166 pounds.

EXPERIMENT NO. 2.

JUNE 4, 1863.

| | |
|---|---|
| Springfield No. 1, (pounds) | 100 |
| Springfield No. 2, (pounds) | 200 |
| Springfield No. 3, (pounds) | 100 |
| Franklinite, (pounds) | 75 |
| | 475 |




In furnace two hours; quite soft and very strong.

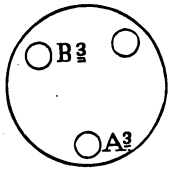
Tensile strength $A^2$, 26,666 pounds.

Tensile strength $B^2$, 25,366 pounds.

Tensile strength $C^2$, 27,166 pounds.

EXPERIMENT No. 3.

JUNE 6, 1863.

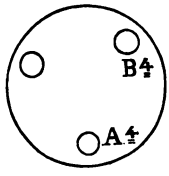



| | |
|---|---|
| Springfield No. 2, (pounds) | 400 |

Half an hour in fusion.
Tensile strength $A^3$, 28,666.
Tensile strength $B^3$, 27,966.
After being in furnace 1¾ hour took out a test piece, but not finding it high enough, continued it to 2¼ hours, when the crystallization was about the same as the 11-inch gun cast at this establishment.

EXPERIMENT No. 4.

JUNE 9, 1863.

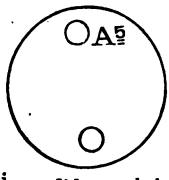



| | |
|---|---|
| Springfield No. 1, (pounds) | 250 |
| Springfield No. 2, (pounds) | 250 |
| Franklinite, (pounds) | 60 |
| | 560 |

In the furnace two hours; in fusion 30 minutes. When drawn the metal very hot but limpid, with a very fine gray crystallization, strong, and very dense.
Tensile strength $A^4$, 31,166 pounds.

EXPERIMENT No. 5.

JUNE 10, 1863.

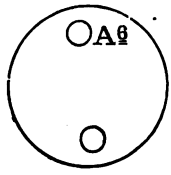



| | |
|---|---|
| Springfield No. 1, (pounds) | 166 |
| Springfield No. 2, (pounds) | 166 |
| Conomaigo No. 1, (pounds) | 166 |
| Franklinite, (pounds) | 75 |
| | 573 |

In the furnace 1½ hour, and 30 minutes in fusion. Not so hot or so strong as No. 4. Hardness and crystallization the same. The forging irons did not shrink so much with the Franklinite as without. It appears to improve the Springfield iron, making it more dense and stronger.
Tensile strength of $A^5$, 29,366 pounds.

EXPERIMENT No. 6.

JUNE 16, 1863.

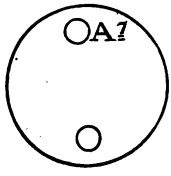



| | |
|---|---|
| Block No. 3, remodeled, (pounds) | 400 |
| Springfield No. 1, (pounds) | 80 |
| | 480 |

Tensile strength $A^6$, 31,366 pounds.

EXPERIMENT No. 7.

JUNE 16, 1863.




| | |
|---|---|
| Springfield No. 1, (pounds) | 250 |
| Block No. 2, remodeled, (pounds) | 250 |
| Franklinite, (pounds) | 60 |
| | 560 |

Trial piece very fine and strong.
Tensile strength $A^7$, 30,666 pounds.

TUESDAY, *June* 23, 1863.

Commenced molding the gun, which was completely rammed up and the patterns drawn on Saturday evening by two molders and two helpers. Three core makers with two helpers made three cores in a day. The cores are strong, and bear handling.

WEDNESDAY, *July* 1, 1863.

The furnaces have each had a couple of charges melted in them. No. 1 is an ordinary air furnace. No. 2, the chimney is on the side, and works better with coal than the other. The testing furnace is a model of No. 2.

The furnaces are to-day charged for the large gun, as follows:

| | | |
|---|---|---|
| Furnace No. 1.—Springfield No. 2, (pounds) | 30,196 | |
| Franklinite, (pounds) | 3,404 | |
| | | 33,600 |
| Furnace No. 2.—Springfield No. 2, (pounds) | 20,000 | |
| Franklinite, (pounds) | 2,400 | |
| | | 22,400 |
| | | 56,000 |
| Subsequently added Springfield No. 2, (pounds) | | 1,000 |
| Total charge of both furnaces | | 57,000 |

JULY 7, 1863.

Started fires in both furnaces at 10.30 a. m. First iron began to melt 11.30. Iron all melted 3.25 p. m. Testing pieces taken out. Iron quite limpid and strong, but rather soft. Continued in fusion 35 minutes longer. Tapped the furnaces at 4.15. Mold filled in 10 minutes. A quantity of slag from No. 1 furnace was allowed to run into the mold, which caused an explosion of air when mold half filled. About 1,000 pounds of metal allowed to flow through and overflow to insure filling all cavities. Iron quite hot, of a good quality, rather soft. Coal used, Broad Top, of excellent quality; no account kept of the quantity. The core barrel was wrapped with wire rope; the molding composition not rammed, but swept A tube was inserted in the core barrel, and it was supposed that a self-sustaining downward current would be established through this tube, but this not taking place a current of air from the blowers was forced through for eight hours.

At 20 hours after the casting, attempted to draw the core barrel, but without success, as it broke off, leaving about three feet in the gun. The tube was found to be melted, filling the lower part of the core barrel.

After many attempts to get the gun out of the pit, the cranes and chains breaking down, it was finally removed on the 20th of July. Upon an examination of the exterior two large protuberances were found, caused by portions of the sand giving way; also, the core between the webs appeared as if a quantity of iron had permeated them and partially vitrified. Owing to these leakages the quantity of metal was too small to entirely fill the mold, and the finished gun will be about two inches too short.

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[Telegram.—Department, Washington, August 8, 1863. Received Philadelphia, 4 o'clock p. m.]

Lieutenant Commander JEFFERS, U. S. N., *Navy Yard, Philadelphia:*

What is the progress made with Mr. Wiard's 15-inch gun, and has not the time allowed him already expired?

R. AULICK,
*Assistant to Bureau.*

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PHILADELPHIA NAVY YARD, ORDNANCE DEPARTMENT,
*August* 8, 1863.

SIR; In answer to your telegraph with regard to the Wiard 15-inch gun, I reply that the first casting was an imperfect one.

Mr. Wiard proposed to make a second one immediately, but I have not yet received a notification from him that he was ready to do so.

He experienced much difficulty in getting the first casting out of the pit, and has been retarded in other ways. According to the contract the first gun was to be ready for trial in two months from that date, April 10. The full time has consequently expired.

I am, very respectfully, your obedient servant,

P. G. WATMOUGH,
*Assistant Inspector of Ordnance.*

Lieutenant Commander R. AULICK,
*Assistant to Bureau.*

Forwarded C. K. Stribling, commandant.

TRENTON, NEW JERSEY, *October* 3, 1863.

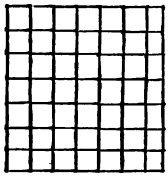
DEAR SIR: I beg to inform you that I am in possession of the establishment lately known as the Trenton Locomotive Works, with all the appliances for the prosecution of the business of fabricating ordnance. The business will hereafter be conducted under my personal supervision as proprietor and manager.

Immediately upon my succeeding in the fabrication and proof of a large Wiard gun, I shall begin the erection of four 30-ton furnaces as an addition to my present 20-ton and 12-ton furnaces, and I will erect 12 boring-mills adapted to the largest class of ordnance.

I have purchased and have here now the tools and implements, rifling machines, &c., formerly used in my business in New York city.

I have now on hand, and am manufacturing for the War Department, a number of boat howitzers of wrought steel, with the sliding and field carriages and the implements.

My steel guns (I only propose to make small sizes of that material) will hereafter be made of superior material; in fact, I believe it cannot be excelled. I have discovered how to obtain absolute uniformity and homogeneity with fine crystallization in the largest blocks I propose to make. Heretofore, if there was a flaw in the bloom, it was perpetuated in the gun. I now pass each bloom through rolls, until it is drawn down to half inch square, at which time the flaws can be discovered. The half-inch bar is then cut into lengths of 34 inches, and all imperfect pieces rejected. The selected pieces are then polished, and again examined for a boat howitzer, 12 pounder; 784 of these bars are then arranged in a pile thus:



and a soaking heat taken upon the pile when it is welded together even, without hammering. This bloom is then drawn under heavy steam hammers to the length necessary for a gun block, retaining the square form, and the angles are turned off in the lathe. Not the slightest imperfection can be discovered in the material thus prepared, even with a microscope, and it has a tensile strength of 110,000 pounds, and a hardness of surface that is very desirable for a rifle gun.

I have undertaken to furnish these guns for 65 cents per pound, the weight being 783 pounds each for 12-pounder rifles.

I shall be pleased to receive an order from the Navy Department for some of these guns, as I must have some small work to keep my establishment full while engaged upon larger guns.

Respectfully,

NORMAN WIARD.

Captain WISE,
*Chief of Ordnance, Navy Department, Washington.*

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NO. 23 GRAMERCY PLACE, NEW YORK,
*March* 7, 1864.

SIR: I am desirous of obtaining full information in regard to the density, tensile strength, elasticity, and quality of the cast iron used for making 68-pounders in England.

Presuming, from your extended and detailed knowledge, that you can give me this information, I take the liberty to ask you to forward it to me if you can do so.

The knowledge is important in my operations to serve the government. I also desire, if it is proper, that you will furnish me the outlines of fracture of all Dahlgren and Parrott guns that you may have in your possession, to be used confidentially, if that is necessary, in making up my conclusions in regard to the cause of failure of large guns.

My objects are purely scientific and professional, and altogether in the interests of the government, in the best faith and feeling, and the data in addition to that which I have exists in such outlines. If you can oblige me in these particulars, you will confer a favor upon your very humble and obedient servant,

NORMAN WIARD

Captain H. A. WISE,
*Chief of Bureau of Ordnance.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, D. C., March* 11, 1864.

SIR: Your note of the 7th March is received, asking for certain information in relation to the cast iron used in England for the making of 68-pounders, and for sketches of the fracture of Dahlgren and Parrott guns.

With reference to the former, the bureau has no information whatever, and believes that the whole method and founding and testing the iron of cannon is entirely different in England from that in our own country.

With reference to the latter, but few of the Dahlgren guns have broken, and only under extreme proof have any of the outlines of fracture been recorded.

The Parrott guns broken under fire at Charleston were principally the army guns, and the data in relation to them are in the possession of Captain Mordecai, United States army.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

Mr. NORMAN WIARD,
*No. 23 Gramercy Place, New York.*

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NO. 23 GRAMERCY PLACE, *March* 7, 1864.

SIR: I take the liberty to call your attention to the fact that the 15-inch gun in Trenton is nearly ready; the molding to be completed on Thursday, the 10th instant. The casting will take place on Saturday or Monday following. I shall be obliged if you will send an inspector on Thursday, to remain at the foundery until the gun is cast.

Could you not be present?

An early reply will oblige your obedient servant,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance Bureau, United States Navy.*

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[Telegram from Bureau of Ordnance, Navy Department, March 8, 1864, 3 p. m.]

Mr. NORMAN WIARD, *care of H. L. Stuart, 23 Gramercy Park, New York:*

Your note received. The bureau has detailed Lieutenant Commander Mitchell to attend the casting, who will leave to-morrow for Trenton. The army has also detailed Major Laidley for the same purpose, and the bureau hopes that no delay or accident may take place.

H. A. WISE,
*Chief of Bureau.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, March* 8, 1864.

SIR: Having been assigned to temporary duty under its orders, the bureau desires you to proceed immediately to the foundery of Mr. Norman Wiard, at Trenton, New Jersey, and witness the casting of the experimental 15-inch gun, under Mr. Wiard's contract with the Navy Department.

The object of the bureau in detailing you for this duty is to have a complete and detailed record of the work, and you will therefore be careful to note everything connected with the casting of this gun, according to the formula prescribed, and also to follow the instructions contained in the Navy Department's order to Lieutenant Commander Jeffers, under date of May 23, 1863, which you will find in the portfolio accompanying this letter, and which also contains the whole correspondence, together with the contract for these guns.

When the casting is completed you will return to Washington and report in person to this bureau, submitting at the same time your report in writing of the whole process of casting this 15-inch gun, and depositing also in the bureau the portfolio also referred to.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

Lieutenant Commander W. MITCHELL, U. S. N.,
*Washington, D. C.*

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[Telegram.]

TRENTON, NEW JERSEY, *March*, 1864.

H. A. WISE, *Chief of Bureau:*

Saturday or Monday next; will telegraph you two days before the time.

NORMAN WIARD.

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[Telegram from Bureau of Ordnance, Navy Department, March 16, 1864, 9.45 a. m.]

Mr. NORMAN WIARD, *Trenton, New Jersey:*

When will the founders be ready to cast the experimental 15-inch gun?

H. A. WISE,
*Chief of Bureau.*

Duplicate sent to New York.

[Telegram.]

NEW YORK, *March* 17, 1864.

Captain H. A. WISE, *Chief of Bureau:*

Telegram received. Will answer from Trenton to-morrow morning.

NORMAN WIARD.

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[Telegram.]

TRENTON, *March* 18, 1864.

Captain H. A. WISE, *Chief of Ordnance:*

Having had an accident occur to some of the cores, we shall not be able to cast before Wednesday. Will telegraph you again on Monday.

NORMAN WIARD.

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[Telegram.]

TRENTON, NEW JERSEY, *March* 19, 1864.

Captain MITCHELL, *Inspector, care of H. A. Wise, Chief of the Bureau of Ordnance:*

The gun mold will be closed on Monday afternoon.

C. C. MARTIN,
*Superintendent Trenton (Wiard's) Iron Works.*

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[Telegram from Bureau of Ordnance, March 20, 1864, 12 m.]

To C. C. MARTIN, *Superintendent Norman Wiard's Iron Works, Trenton, New Jersey:*

Your telegram received. When do you desire the presence of an officer to witness the casting? Name the day and hour. Answer.

H. A. WISE,
*Chief of Bureau.*

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[Telegram.]

TRENTON, NEW JERSEY, *March* 21, 1864.

H. A. WISE, *Chief of Bureau:*

We shall cast the gun Wednesday morning at 10 o'clock.

C. C. MARTIN,
*Superintendent Trenton Iron Works.*

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[Telegram.]

TRENTON, NEW JERSEY, *March* 21, 1864.

H. A. WISE, *Chief of Bureau:*

Mr. Wiard just arrived from New York; directs me to say the furnaces are charged and the mold will be closed to-day. The gun will be cast Wednesday afternoon. He wishes an officer of the navy to see the mold before closing it.

C. C. MARTIN,
*Superintendent Wiard's Ordnance Works.*

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[Telegram.]

PHILADELPHIA, *March* 23, 1864.

Captain WISE:

The gun was cast successfully this afternoon.

W. MITCHELL.

[Telegram.]

PHILADELPHIA, *March* 24, 1864.

JOHN D. BRANDT, *Bureau of Ordnance, Navy Department:*

Does the chief say I come?

W. MITCHELL.

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[Telegram.]

TRENTON, NEW JERSEY, *March* 23, 1864.

JOHN D. BRANDT, *Bureau of Ordnance:*

Ask the chief to let me come home; the gun will not come out of the pit till Monday.

W. MITCHELL.

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[Telegram.]

TRENTON, NEW JERSEY, *March* 24, 1864.

H. A. WISE, *Chief of Ordnance:*

The gun was cast yesterday. The core barrel removed successfully and the interior cooling is now progressing well. I have no doubt that I will have a good gun.

NORMAN WIARD.

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TRENTON, WIARD'S ORDNANCE WORKS,
*March* 30, 1864.

I am happy to inform you that the 15-inch "Wiard" is cold and is now nearly hoisted from the pit, and it appears to be a very fine casting.

It is the opinion of the experts that the iron was too low, and I am somewhat disappointed myself to find it has not the tensile strength I intended. If it stands the test of rapid firing I shall believe hereafter that we can make a gun on this plan of any kind of iron. The cores appear neither to be calcined nor impregnated with iron; although I expect we shall have a laborious job to remove them, as they appear very hard, which, however, was to have been expected.

I shall wind a part of the core irons in the next with rope, and if they remove easier, adopt that plan thereafter. Altogether I assure you I now feel much gratified by the result.

I forward herewith the drawings with details of the accelerating 100-pounder rifle gun, 6-inch caliber, I have in hand. It is now bored and we shall begin upon the reinforce at once. The chamber is 16 inches in diameter and will contain 80 pounds of fine powder.

The cylindrical part of the bore of the reinforce forward of the chamber, where it fits upon the iron barrel, is slightly tapered, say one inch in five feet, being largest toward the breech, and the forward part of the reinforce is forced upon this taper to get "initial tension" at this part. When the rear part of the reinforce is bolted on, a narrow space is left that entirely surrounds the spherical part of the barrel; this space is cast full of lead, and afterwards with a hydraulic press more lead is forced in until the spherical part of the reinforce is stretched. By this means "initial tension" is attained throughout the whole reinforce.

I think it desirable to have no more than four inches thickness to the barrel, in view of a proper distribution of heat from firing, and to enable me to secure compensation by combination of metal having different relative degrees of expansion; and as this thickness would not give sufficient strength to that part of the barrel not supported by the reinforce, if the gun were mounted in the ordinary manner *and liable to recoil with the longest axis of the bore moving at an angle to the plane of recoil*, I have designed a carriage on which the gun recoils exactly in the direction of the longest axis of the bore, and the cheeks of the carriage elevate and depress by the elevating screw.

The carriage is all of wrought iron, and seems to me to be very simple and efficient.

It can also be easily adapted to be a pivot carriage. I will not ask your attention to other details, as I think they are obvious.

In this gun the pressure of the powder against the shot will be greater than in other guns, *and the time of the action of the force much greater.* I expect it will either BURST or give a higher velocity to the shot than was ever before attained. The high velocity and the direction of recoil will be favorable for very nice precision, if the sights are well adjusted. The high velocity will give extraordinary penetration of plating at a range beyond the range of ordinary guns.

Then if it is mounted on a fast-sailing ship, no slow-moving iron-clad, or fleet of the same could withstand its efforts.

I think I have so far advanced this experiment that you should now give some special attention to it; "further the deponent saith not."

Respectfully, NORMAN WIARD.

Capt. H. A. WISE,
*Chief of Ordnance, Washington, D. C.*

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TRENTON WIARD ORDNANCE WORKS,
*Trenton, April* 28, 1864.

Will you please inform me what is the windage of the 15-inch shell? The 15-inch Wiard is in the lathe, boring, and I wish to prepare the double shot of 900 pounds for the first trial round.

Respectfully, NORMAN WIARD.

Capt. H. A. WISE,
*Chief of Ordnance, Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, April* 6, 1864.

SIR: The bureau is much obliged for your note of the 30th ultimo, giving the details of your new accelerating 100-pounder rifle gun, with a drawing thereof; and in this experiment you certainly have its best wishes for success.

In the matter of the 15-inch Wiard, the bureau has detailed an officer, Lieutenant Commander Mitchell, to note every process of the casting and report the results to it.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

Mr. NORMAN WIARD,
*Trenton, New Jersey.*

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TRENTON WIARD ORDNANCE WORKS,
*Trenton, April* 29, 1864.

I inclose you a horrible photograph of the 15-inch Wiard now in the boring mill.

I had great difficulty in removing the cores; finally succeeded by applying coal oil. The effect on cores so hard we could hardly penetrate them was magical; afterwards the removal was easy.

In the foreground of the picture is the barrel of the accelerating gun (100-pounder rifle,) to be reinforced with 17,000 pounds bronze.

Will you give me an order for field and sliding boat-howitzer carriages. I have some on hand. I am also manufacturing every kind of implement.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, May* 25, 1864.

SIR: By directions of the Navy Department, the bureau desires you to state in writing whether the defects in the Wiard 15-inch gun, which you have mentioned verbally to the bureau, are in your opinion detrimental to the proof of Mr. Wiard's system. Reply at once.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau.*

Lieutenant Commander W. MITCHELL,
*Special Ordnance Duty, Washington, D. C.*

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TRENTON WIARD ORDNANCE WORKS,
*Trenton, May* 26, 1864.

DEAR SIR: Inspector Mitchell asked me to furnish drawings of our furnaces and 15-inch gun mold. We have furnished the department one complete set of drawings, and we

cannot easily reproduce them, as a part of the original drawings has been lost. Will it be necessary to furnish them? I presume Lieutenant Commander Mitchell was not aware that your department had a set.

Respectfully yours,

C. C. MARTIN,
*Superintendent.*

Captain H. A. WISE,
*Chief of Ordnance.*

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WASHINGTON, D. C., *May* 26, 1864.

SIR: In reply to bureau order of the 25th instant, I respectfully state that the defects in the muzzle of the 15-inch gun at Trenton would be sufficient to condemn the gun, according to the tenor of the contract and of the regulations made for the guidance of inspectors of ordnance; yet in my opinion will not interfere with the proof of the principles upon which it is constructed.

Very respectfully, your obedient servant,

W. MITCHELL,
*Lieutenant Commander U. S. Navy.*

Commander HENRY A. WISE,
*Chief of the Bureau of Ordnance, Navy Department, Washington.*

Indorsement upon letter of Lieutenant Commander Mitchell, May 26, 1864.

Respectfully referred to the Navy Department.

H. A. WISE,
*Chief of Bureau of Ordnance ad interim.*

I concur with Lieutenant Commander Mitchell that the proof will not be affected by the defects alluded to 26 May.

H. A. WISE.

Secretary says, authorize reception under these circumstances.

G. V. FOX,
*Assistant Secretary.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT.
*Washington City, May* 27, 1864.

SIR: Your communication of the 26th instant, informing the bureau, in reply to its letter of the 25th instant, that in your "opinion the defects existing in the muzzle of the Wiard 15-inch gun at Trenton" will not interfere with the "proof of the principles upon which it is constructed," has been received.

The bureau concurs in this opinion, and the department therefore authorizes the reception of the gun for proof.

You will therefore proceed to carry out the instructions already given you with as little delay as possible.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau ad interim.*

Lieut. Commander W. MITCHELL, U. S. N.,
*Special Ordnance Duty, Washington, D. C.*

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[Telegram.]

TRENTON, NEW JERSEY, *May* 30, 1864.

Captain H. A. WISE, *Chief of Bureau of Ordnance:*

Please direct the ordnance officer at Philadelphia to furnish me at once with the shell and number seven (7) powder and some small articles which I will require for.

W. MITCHELL.
*Trenton House.*

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[Telegram.]

Lieut. Commander W. MITCHELL, U. S. N., *Trenton, New Jersey:*

Telegram received. Orders are given to the ordnance officer at Philadelphia to send you such shells and powder and small articles as you may make requisition for.

H. A. WISE,
*Chief of Bureau.*

MAY 31, 1864—10 a. m.

[Telegram.]

Commodore STRIBLING, U. S. N., *Commandant Navy Yard, Philadelphia:*

Please direct the ordnance officer to send to Lieutenant Commander Mitchell, at Trenton, New Jersey, such shells, powder and small articles as he may require for proof of a fifteen (15) inch gun at the Wiard Ordnance Works.

H. A. WISE,
*Chief of Bureau.*

MAY 31, 1864—10 a. m.

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TRENTON WIARD ORDNANCE WORKS,
*Trenton, June* 3, 1864.

*United States Navy Department, Ordnance Bureau, to Norman Wiard:*

To 46,962 pounds first 15-inch Wiard gun, at 12 cents per pound, being advance payment as per contract..... $5,635 44

Above please find account for the advance half price of trial gun. I am informed that the inspector has made his report to you; please to forward voucher for the same, payable by the navy agent, New York.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE, *Chief of Ordnance.*

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[Telegram.]

TRENTON, NEW JERSEY, *June* 5, 1864.

Commander H. A. WISE, *Chief of Bureau, Navy Department:*

The gun was fired last evening at 8 hours and 15 minutes, with the heavy charge, and burst all to pieces, the muzzle, weighing about four (4) tons, being all that is left on the ground.

W. MITCHELL.

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TRENTON WIARD ORDNANCE WORKS,
*Trenton, June* 6, 1864.

I regret to inform you that the 15-inch Wiard burst at the first fire on Saturday evening. I am preparing drawings and a communication in explanation for your bureau. and only write now to assure you that I think the failure will be sufficiently accounted for in the low tensile strength, the high density, and improper cooling of the gun. I have full confidence (as ever) that my theory and plan is right, or that it will be after correcting trifling errors of form and grave errors of manipulation, of which in my next.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Bureau of Ordnance, Washington.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, June* 9, 1864.

SIR: Your letter of June 3, with bill for advance pay on the 15-inch gun, is received.

The bureau finds, on examination of your contract with the department, that the gun is to weigh only 43,000 pounds, and therefore cannot allow you for any weight in excess of that quantity.

The fragments of this gun being, according to contract, the property of the government, the bureau desires to know what price you are willing to pay for it. It is to be presumed that this iron will be worth more to you than any one else.

I am, sir, your obedient servant,

R. AULICK,
*Assistant Chief of Bureau.*

Mr. NORMAN WIARD, *Trenton, New Jersey.*

NEW YORK, *June* 15, 1864.

Your letter of the 9th instant, referring to my claims for advance payment for 15-inch gun, is received. It would be quite impossible that any one could make a gun to weigh exactly 43,000 pounds. I suppose the true meaning to be *about* 43,000 pounds.

I have a letter from the Ordnance Bureau directing me to verify the preponderance of a gun to about 700 pounds, and upon inquiring at the bureau was told that about 700 pounds was not less than 600 or more than 800. However, if you think your decision proper, I submit and ask you to change the account to that amount.

If you read the contract you will see that I am permitted to have the fragments of the first gun, consequently your proposal to sell them to me is not in order until the second gun has failed; and even then, there is a doubt in my mind whether I should be charged for the fragments of the first or not according to the contract.

Please to forward me a voucher for such amount as you find to be due on this account.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington.*

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WASHINGTON, D. C., *June* 20, 1864.

SIR: In obedience to the order of the bureau of March 8, I have visited the Wiard Ordnance Foundery, Trenton, New Jersey, and make the following report concerning the casting and proving of the 15-inch gun. On the 23d of March the furnaces used in the casting, and designated as No. 1 and No. 2, were charged as follows:

FURNACE No. 1.

| | Pounds. |
|---|---|
| Springfield No. 2 iron | 22,000 |
| Springfield remelted iron | 4,000 |
| Indiana No. 1 iron | 3,000 |
| Indiana No. 2 iron | 5,000 |
| | 34,000 |

FURNACE No. 2.

| | |
|---|---|
| Springfield No. 2 iron | 14,000 |
| Springfield No. 2, remelted | 2,500 |
| Indiana No. 1 iron | 3,000 |
| Indiana No. 2 iron | 5,000 |
| The total amount of metal in both furnaces being | 58,500 |

The kind and quantity of coal used on this occasion were as follows:

FURNACE No. 1.

| | Pounds. |
|---|---|
| Pittsburg coal | 4,000 |
| Pictou, N. B | 2,000 |

FURNACE No. 2.

| | |
|---|---|
| Westmoreland, Pennsylvania | 2,750 |
| Pictou, N. B | 2,750 |
| Total amount of coal consumed being | 11,500 |

The fires were started in the furnaces at 10 a. m. and the iron commenced melting at 11 a. m. The iron was melted at 2.35 p. m.

Furnace No. 1 was tapped at 3.22 p. m., and No. 2 at 3.24 p. m. The mold was filled to the sinking head at 3.34, being in the interval 10 minutes precisely. Two gates and six air holes were used.

The meteorological condition of the atmosphere on the day of casting was as follows:

| | Sunrise. | 8. a. m. | Sunset. |
|---|---|---|---|
| Thermometer | 25° | 40° | 36° |
| Barometer | 29″.97 | 29″.94 | 29″.94 |
| Wind | NE. | N. | N. |

During the previous p. m. and the a. m. of the 23d, two inches of snow had fallen.

The gun was cooled from the interior by a stream of running water delivered through a small pipe in a sufficient quantity to keep the level (generally) near the sinking head.

The core consisted of a cast-iron spindle 10.5 inches in diameter, wrapped with a hempen rope 15 inches in diameter; the whole brought with sand to the diameter of 14 inches.

During the process of cooling, jets of water were thrown up to the height of 10 feet or more from the core, conveyed, it is supposed, by the sub-water being converted into steam, while the surface-water was being continually cooled by the feed-pipe. The water thus thrown up was prevented from falling upon the hot metal of the gun by a cast-iron concave disk placed immediately over the flask and secured to it.

On the 28th the casting was examined by separating the segments of the flask and removing some of the sand. The casting was apparently good. The temperature of the water at this time in the core was 210°.

On the 29th the gun was lifted from the pit and the spindle removed; the rope surrounding it was scorched but not burnt. The gun was placed in the lathe and reamed out. At the same time great difficulty was found in removing the cores in the webbing of the gun, owing to the construction of the cores, which were made some with cast-iron bars and some with ½-inch gas-pipe. They withstood the action of the heated metal admirably; but owing to the number of them, and their peculiar form, they were removed with great difficulty. After the gun was reamed and ready for proof, defects were discovered in it which, according to "regulations for the inspection of guns," were sufficient to condemn it as a service gun. But the proof was ordered by the Navy Department.

The water test was made and no defect discovered thereby.

On June the 2d the gun was transported to the proving ground, placed upon "skids" inclined at an angle of about 8°, and made ready for firing. On the 4th, at 8.45 p. m., the gun was loaded with 80 pounds of Dupont's No. 7 powder and a shot weighing 886 pounds, and fired into a bank of sand, the distance being about 46 feet from the gun. At this discharge (being the first) the gun burst, throwing pieces of the gun weighing (estimated) five tons and seven tons 211 feet and 198 feet distance, respectively, breaking the platform from which the gun was discharged to pieces.

The muzzle portion of the gun fell to the ground on the spot over which it rested, and a portion of the lower part of the breech fell in corresponding position.

A plan of the ground and position of the fragments is appended.

Owing to an oversight in casting the gun, the sinking head was not of the proper dimensions, it being only 12 inches in length and 39 inches in diameter. Its weight was 2,500 pounds. The head was porous and no proper specimens could be obtained. A specimen is delivered with this cut from a cylinder cast with the gun at the height of the trunnions. The penetration of the projectile into the "butt" was nine feet.

Specimens will be furnished taken from the various fragments of the gun, the usual test of which will enable the bureau to determine if the disaster was occasioned by defective metal or principle of construction.

Very respectfully, your obedient servant,

W. MITCHELL,
*Lieutenant Commander United States Navy.*

Commander H. A. WISE,
*Chief of Bureau of Ordnance ad interim,*
*Navy Department, Washington.*

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[Memorandum for Lieutenant Commander Jeffers.]

Accompanying this is a sample from the Wiard 15-inch No. 2, recently burst at Trenton; and the bureau desires it to be tried for density and tensile strength, and the result reported to the bureau.

R. AULICK,
*Assistant Chief of Bureau.*

BUREAU OF ORDNANCE, *June* 22, 1864.

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NAVY ORDNANCE YARD,
*Washington City, June* 24, 1864.

[Memorandum for bureau.]

In obedience to bureau order of the 22d instant, I herewith forward the results of specimen received "from the Wiard 15-inch gun No. 2, recently burst at Trenton." Density, 7.324. Tensile strength, 23.870. The fracture presents the appearance of a very fine and close grain, of a brittle nature, interspersed with brilliant steely points. (Query, small grains of Franklinite?)

Very respectfully,

WM. N. JEFFERS,
*Inspector of Ordnance, in charge.*

[Telegram.]

TRENTON, NEW JERSEY, *June* 25, 1864.

H. A. WISE, *Chief of Ordnance:*

Will you please forward me voucher for advance payment on 15-inch to-day, and answer by telegraph.

NORMAN WIARD.

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[Telegram.]

Mr. NORMAN WIARD, *Wiard Ordnance Works, Trenton, New Jersey:*

Telegram received. Advance payment cannot be made on the 15-inch gun until the question of the disposition of the fragments is decided.

R. AULICK,
*Assistant Chief of Bureau.*

JUNE 25, 1864—12.15 p. m.

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No. 40.] BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington, July* 11, 1864.

SIR: I beg leave respectfully to call your attention to a contract made by the department on the 10th day of April, 1863, with Mr. Norman Wiard.

The contract, with all the papers bearing on the case, are herewith transmitted.

You will observe that this contract stipulates, among other things, that Mr. Wiard was to fabricate a 15-inch gun of 43,000 pounds, according to a certain specified description, and that when this gun was completed and reported ready for proof, one-half payment for the gun was to be advanced, viz: 12½ cents per pound, and the gun was then to be put to a certain specified proof, and if it should stand the test, it was to be accepted by the Navy Department, and paid for at the rate of 25 cents per pound, less the amount already advanced, and the Navy Department was to give an order for twenty (20) more, fabricated on the same principle; but if this gun should fail to stand the test, *from any defect of fabrication*, Mr. Wiard was to make a second gun upon the same conditions.

You will further observe (see report of Commander Jeffers) that the first gun was duly cast under this contract, July 7, 1863, but that in consequence of defects in fabrication (see letter of Lieutenant Commander Watmough, August 8) it not only did not stand the test prescribed, but was considered useless by Mr. Wiard to submit it to the test.

The second gun under this contract was cast March 23, 1864, and was entirely completed *without any defect of fabrication*, (see letter of Lieutenant Commander Mitchell, May 26, 1864,) accepted for and submitted to proof, and burst at the first fire.

Mr. Wiard claims of this second gun the advance payment of 12½ cents per pound, to which by the contract he seems clearly entitled.

But he also claims under the contract the fragments of this gun to make still another, or, as he terms it, a "second gun;" whereas the question arises whether in fact, under the contract, he has not already cast the *second gun*, and whether, that having failed, it is not the last gun which he is entitled to make under contract.

The bureau is of the opinion that the two trials contemplated by the contract have already been made, and these have proved so entirely unsatisfactory, it does not seem advisable to make any further experiments with Mr. Wiard's principle of fabrication, at government expense.

I have the honor to be, with high respect, your obedient servant,

R. AULICK,
*Assistant Chief of Bureau.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, August* 5, 1864.

SIR: The bureau desires to be informed whether you have brought together the fragments of the 15-inch gun recently cast by you for the navy, or made any other disposition of them.

Will you please inform the bureau whether you will purchase these fragments, and what price you will allow for them?

This information is desired at your earliest convenience, as other disposition will be made of the fragments if you do not wish to purchase them.

I am, sir, your obedient servant,

H. A. WISE,
*Chief of Bureau.*

Mr. NORMAN WIARD,
23 *Gramercy Place, New York.*

WASHINGTON, *August* 16, 1864.

Your letter of August 5 was duly received just as I was leaving New York, inquiring whether I have assembled the fragments of the 15-inch gun.

I have them assembled at the works and at considerable expense and trouble, having to remove the largest piece from the bottom of the canal where it had been buried.

I have the impression that the bureau has disposed of this case in a summary manner. Captain Aulick, Acting Chief of Ordnance during your late absence, informed me by letter that no more trials of my 15-inch gun would be permitted at the expense of the Navy Department, claiming that I had made the two experiments contemplated in the contract between the Hon. Secretary of the Navy and myself.

I have carefully read this contract and I cannot agree with Captain Aulick. The contract says distinctly "when the gun is completed and reported ready for proof by said party of the second part." N. B.—I have completed but one gun, and I have never *reported* (as ready for proof) *but one*. The contract continues: "One-half the value of said gun *completed* at 25 cents per pound shall be paid or caused to be paid. And as soon thereafter *as may be convenient* it shall be *subjected to the following proofs:* * * * If the first or trial gun should fail to stand this test, the said party of the second part shall be permitted to cast a second trial gun," (a trial gun being one completed and reported ready for proof,) "subject to the same conditions and tests as the first gun." * * * "In the manufacture of this gun the FRAGMENTS of the first may be used by the said party of the second part." (At this date there is but fragments of one gun.) To me it seems evident that the fragments you propose I shall purchase are those contemplated in this contract as the fragments the said party of the second part (Wiard) may use, and it is improper that I should be asked to purchase them.

With regard to the last paragraph of your letter, "This information is desired at your earliest convenience, as other disposition will be made of the fragments if you (I) do not wish to purchase them," I can only say that I hope the other disposition of them (I failing to purchase them) you contemplate is to turn them over to me for my use according to the terms of the contract.

The decision of the bureau, as communicated in the letter of Captain Aulick, I take the liberty to suggest, is not the disposition of this case the interests of the Navy Department would dictate, for these reasons: the Navy Department undertake to pay certain amounts of money for two trials (experiments) of guns, say about $5,000 for each, and under this decision of the bureau elects to take an experiment THAT HAS FAILED in lieu of one that may succeed; for if the bureau holds to this decision I shall immediately present an account for the *imperfect casting* never offered for proof, and it would be proper that I should be immediately paid for it.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington.*

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No. 210.] NAVY ORDNANCE YARD, WASHINGTON CITY, *September* 9, 1864.

SIR: I have carefully considered the letter of Mr. Norman Wiard of August 16, taken in connection with the contract with him for casting cannon on his plan.

I am of the opinion that he is entitled to receive "half the value of the gun at 25 cents per pound," and this whether the gun burst or not, as he had a right to demand payment previous to trial.

With respect to the fragments of the gun, I am of the opinion that they do not belong to Mr. Wiard, for the following reasons:

If the first or imperfect casting is taken to be the first gun called for by the contract, he was entitled to use it in the construction of the second gun, but not to dispose of it.

If the second casting is taken to be the first gun, the first not having been offered for proof, the same conditions exist.

The fragments of the gun or guns belong to the government to reimburse its expenditure.

The board of which I was a member, and which recommended this contract, anticipated from the complexity of the design some difficulty in molding and casting this gun, and therefore agreed to the proposition for a second gun in order to test the principle and not let the trial be inconclusive by any defect in the casting. The first casting was so complete a failure that it was not offered. I am, however, of the opinion that within the intention of the contract two trials have been made.

The whole intention of allowing a second trial being to cover the anticipated difficulties in making a casting of such a novel form, and the second one, being successful in that respect, was the trial desired for the mode of construction.

I am, very respectfully, your obedient servant,

WILLIAM N. JEFFERS,
*Inspector of Ordnance, in charge.*

Commander H. A. WISE,
*Chief of Bureau of Ordnance.*

[Memorandum for Lieutenant Commander Jeffers.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, September* 10, 1864.

1. The bureau returns herewith your decision in the case of the Wiard 15-inch guns, and desires you to review it after examining carefully the records, (also sent herewith,) and report whether you still adhere to your decision.

H. A. WISE,
*Chief of Bureau.*

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No. 215.] NAVY ORDNANCE YARD, WASHINGTON CITY,
*September* 13, 1864.

SIR: In accordance with bureau order of September 10, I have examined the entire correspondence and contract with reference to the Wiard gun, and adhere to the decision contained in my report of September 9, with the following memoranda:

By article sixth of the contract, "if the first or trial gun should fail to stand this test (previously recited) *from any defect of fabrication*, then the said party of the second part shall be permitted to cast a second trial gun," &c. The whole intent was to give him two trials of the mode of fabrication, which was justly considered a very difficult one.

Now, the gun actually tried was without defect of fabrication of a nature to prevent a full proof of the principles on which it was constructed. (See letter of Lieutenant Commander Mitchell, May 26, 1864.)

I am, therefore, clearly of opinion that even if no gun had been previously cast, the whole intent of the sixth article had been fulfilled, viz: A trial of a novel mode of fabrication claimed to give greater endurance than the usual form.

The last paragraph of Mr. Wiard's letter of August 15 says, "If the bureau holds to this decision, viz: 'That the two trials contemplated by the contract have already been made,' I shall immediately present an account for the *imperfect casting* never offered for proof, and it would be proper that I should be immediately paid for it."

I hold this conclusion to be inadmissible. The fourth article of the contract requires that the gun should be "completed and ready for proof," a condition precedent to any payment. This gun never having been so completed was never offered for proof, but the experience gained in its fabrication enabled the second gun to be successfully cast and subjected to the powder proof of the principle of construction, which it failed to stand.

Very respectfully,

WILLIAM N. JEFFERS,
*Inspector of Ordnance, in charge.*

Commander H. A. WISE,
*Chief of Bureau of Ordnance.*

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NEW YORK, *December* 31, 1864.

SIR: The destruction of Parrott guns at Morris island under General Gillmore, during proof and on board the vessels of Admiral Porter's fleet, is a remarkable confirmation of my statements with regard to the impropriety of making great guns in any of the ways practiced by recognized ordnance founders in this country or Europe.

"Initial tension" without compensation for unequal expansion, or without elasticity between the "inner metal" and the compressing reinforce, is a fallacy that will be made glaringly apparent as often as hooped guns are made on the Parrott, Treadwell, Blakeley, or Armstrong plans, and fired rapidly; and if guns are made of large sizes on the Dahlgren (solid cast) system, or on the Ames ductile wrought-iron system, *the bore will enlarge until the same state of initial tension is arrived at, when they will burst the same as any other.*

General Gillmore informed me that the Ames gun was so enlarged at the 450th round that it was *apparent to the eye, without assistance of instruments, on the outside of the gun.*

I have not (notwithstanding the discouragements I have met with) at any time ceased my studies or experiments or improvements in ordnance. I do believe that the patents now secured to me, and those which I am now making application for, cover all that is valuable in that direction.

You know that I have met many failures, and I have seen much of the failures of others. If I have been over sanguine heretofore, that disposition has been qualified by experience. I now hope you will believe my assurance that my plans have been much improved, and can now be shown in such variety that the ordnance department cannot afford to overlook them.

I have now a complete system of uniform rifle and smooth bore guns carefully prepared. I should be glad to show them to you.

I am not anxious to engage in the manufacture of guns myself, but I should like to impress

you with the value of my plans, so that you would recommend them to the recognized ordnance founders, with whom I should be glad to make an arrangement for their manufacture, for which I could give them a monopoly.

If you will request it I will come to Washington and show you what I have.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington, D. C.*

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WILLARD'S, THURSDAY MORNING.

MY DEAR CAPTAIN WISE: I take occasion to send you a pamphlet on the old subject of bursting of guns.

I feel that I know why guns burst, and that I know how to make them absolutely safe from bursting, whether fired with large charges or rapidly.

I acknowledge that I may, the next time I make an effort to produce guns, find it necessary to try more than once; but I feel confident now, as I have explained heretofore, that I should succeed if I was permitted to make a sufficient number of trials to get my guns properly proportioned.

Having these views, I cannot consider myself justified in refraining from prosecuting the subject, no matter what discouragements are thrown in my way. Because, besides a duty I owe to myself and friends, it is due to the interests of the great government we live under that the best efforts of every citizen should be devoted to such important interests.

Respectfully,

NORMAN WIARD.

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WASHINGTON, *February* 8, 1865.

I notice that the board on rifled ordnance acknowledge themselves unable to decide upon the important questions laid before them by the bureau, which shows (I take the liberty to say) in a marked manner how improper it was to refuse permission to parties who might have thrown some light on the subject to come before them and explain their views.

I also notice that the board recommend a renewal of that old and worn out experiment of firing guns to extreme proof, or, as in this case, to 1,000 rounds, which experiment upon three guns, as recommended by the board, will cost the government about $55,500, and may be concluded to the end without giving one new idea to the parties who conduct or witness the experiment. This experiment is undoubtedly to be conducted to decide one or all of the following questions, viz:

1. Do guns burst at the muzzle; along the forward reinforce; through the band or at the breech, because of the premature bursting of shells within the bore?

2. Do guns burst because the shot is not home at the time of the explosion of the charge, when the *vis-viva* of the gases of the powder act against the walls of the gun immediately behind the shot with a force more destructive than the simple pressure of the powder?

3. Do guns burst from the direct pressure of the powder when all the conditions of care—loading, lubrication of the shot, &c.—are fulfilled?

4. Do guns burst from want of lubrication to the shot and surface of the bore?

5. Do guns burst from unequal expansion of the metal of the gun from the heat of firing?

The settlement of the above five points will give the positive information so much desired.

The question is how best to conduct these experiments.

The first question can be settled beyond the possibility of a doubt by choosing a gun known to be uninjured, of that size that has burst most frequently, considering the average number of rounds fired from different calibers, and then explode a number of shells in the bore, part of them under the band, forward of the band, and at the muzzle, equal to the greatest number ever known, or supposed to have prematurely exploded in a gun that afterwards or at any time burst.

A shell exploding while at rest will act more severely upon the walls of a gun than if exploded while moving along the bore with high velocity.

To settle the second question, choose a gun in the same manner as before, and fire a series of charges from it with the shot laid at different places along the bore, the number of experiments to be determined as before.

For the third, choose a gun as before, viz., of the largest size, because the larger guns burst most frequently, and fire from it a cylindrical shot of double weight with the usual windage at the rear end, but tapering toward the front slightly, or so much that the upsetting will not cause it to act injuriously upon the walls of the gun, and support it centrally in the bore forward by a band or projection of copper, or other soft metal, with a double charge of fine powder. If this charge does not burst the gun, no service charge will ever burst a like gun unless some other element besides pressure should come into the calculation.

The fourth question has already been decided at Morris island, and elsewhere, by firing guns to a large number of rounds without lubrication, which guns did not burst.

For the fifth, insert heated shot in the bore of a gun in which is embodied initial tension, either from the manner it has been constructed, or by use, either got by bands shrunk on, as in the Parrott, by hollow casting, as in the Rodman gun, or in a gun in which the inner metal has been enlarged by repeated concussion or pressure to put it in the state of "initial tension;" as in the case of the Dahlgren gun after a number of rounds, the Ames gun after 500 rounds, or the Armstrong gun after the first heavy enlarging charges before finishing.

This series of experiments will not cost more than 10 per cent. as much as the series recommended by the board, and will probably completely settle the great questions so long considered and experimented upon.

I take the liberty to inform you that I am of the opinion that the premature explosion of Parrott shells is due to the escape of a small quantity of hot gas past the rivet inserted in the base of that kind of shells. If the board did not discover this, it is evidence that they were improperly constituted. If they did, and did not report the discovery, they were dishonest.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE, *Chief of Ordnance,*
*Navy Department, Washington, D. C.*

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WILLARD'S, WASHINGTON, *March* 6, 1865.

I inclose herewith a public document containing information that I think will be valuable to the Ordnance Bureau.

I think it a more complete examination of the errors of the systems both of procurement and fabrication of ordnance than I have been able before to present.

I hope my earnest desire to do the state a service will not much longer be misapprehended.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington.*

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WASHINGTON, *October* 22, 1865.

DEAR SIR: Will you cause to be copied and delivered to me the following papers from the book of record relating to my contract for 15-inch guns, viz:

1. My proposal dated March 27, 1863.
2. The description that accompanied the drawings.
3. The letter of James M. Blanchard, April 1, 1863.
4. The letter of the Hon. Secretary of the Navy to Captain Benton and Commanders Wise and Jeffers, dated April 3, 1863.
4. The report of the board marked (4,) also the memorandum that follows it.
5. The approval of the Secretary of the Navy, by Mr. Fox, dated April 8, and the letter of the board reporting or submitting a copy of a contract, dated, April 9, 1833.
6. Letter of Norman Wiard, dated 22d May, (paper No. 7 in book.)
7. Paper marked No. 8 in book.
8. Paper marked No. 9 in book.
9. Letter of Norman Wiard, dated May 27, 1863.
10. Paper marked No. 10.
11. Paper marked No. 11.
12. Paper marked No. 12.
13. Letter of Norman Wiard, dated 3d October, 1863, No. 15.
14. Telegraph of Mr. Martin, dated March 21, 1864.
15. Telegraph of Commander Mitchell, 23 March, 1864, (marked 28.)
16. Paper No. 31. Letter of N. W.
17. Paper No. 32. Letter of N. W.
18. Paper No. 35.
19. Paper No. 37.
20. Papers No. 39, 40, 41, 42, 43, 44, 45, 50, 52, 53, 61, 62, and 70, with whatever indorsements are on them.

I should be sorry to entail so much trouble upon the bureau, but I have had the misfortune to have most of my correspondence on this subject stolen from me at Trenton, by parties interested in causing difficulties in relation to this gun contract, with whom I now have suits at law pending.

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Ordnance, Washington.*

NEW YORK, *October* 27, 1865.

SIR: On the 10th day of April, 1863, you entered into a contract with me for the fabrication of two trial guns of 15-inch caliber, and if either of them withstood the very severe test stipulated to be applied, 20 other guns of the same kind as the successful trial gun.

The War Department also engaged with me, if either of the guns proved successful, a large number of guns of the same quality would be required, and would be taken of me for the military service, thus making the experiment of great consequence to me, and, as I thought and still believe, of great consequence to both branches of the service.

I proceeded to make preparations commensurate with the importance of the undertaking, with all possible dispatch, and immediately expended a large amount of money upon the undertaking.

It is not and has not at any time been claimed, so far as I know, that I did not zealously attempt and faithfully perform all the conditions the terms of the contract enjoined upon me.

The contract provided in plain terms that I should be paid one-half of a stipulated price for each of the trial guns, if it became necessary to make a second because of the failure of the first, and also that the money should be paid previous to subjecting the guns to the powder proof. This condition was named in my proposal, and was referred to in the report of the board appointed to consider and report upon my proposal, as well as in many other places through the records that relate to this contract.

My proposal, the report of the board, and the contract, I think, show that I had some doubt of my ability to so proportion a gun the first time, under a system so entirely new, as to make it stand the extraordinary test to which it was to be submitted, and hence and not otherwise came the condition providing for more than one trial.

I have, in carrying out this contract, made one casting which was imperfect, which I did not offer for proof because I thought the principal object in making the contract was to procure and produce large guns, not to experiment upon molding and casting a difficult and intricate model. In this, however, I see by a report made by Captain Jeffers, which I have seen for the first time within the past week, I was, perhaps, mistaken; certainly I think it will be conceded, after an examination of all the records relating to the contract, that I was justified in having the opinion expressed above.

After the failure of the first casting, I proceeded without unnecessary delay (although I had encountered many serious and unexpected difficulties, among which was the failure of the Trenton Locomotive Company, with which I had made a contract for the work, for which they had been paid in advance) to cast another gun without changing the proportion of my model or plan, and this time I succeeded in producing a casting that was much admired, and of which the department has been furnished with a good photograph now in the Ordnance Bureau, which gun was accepted as a trial gun, and was subjected to the powder proof and burst.

I forwarded the account for the amount due upon this, which was by the terms of the contract to be paid before it was subjected to the test, but it was many months before the money was paid.

In the mean time, before this account was paid, and previous to any notice being given to me that the department considered I had made the two trials, (also with the full knowledge of the inspector and the department,) I proceeded to cast another, and, as I then considered, a second trial gun; and while this gun was in the boring mill, and when it was nearly finished, I was first notified of this decision. I had also previous to this notice constructed a new proving-ground, with the necessary carriage skids, butt, and bomb-proofs, at considerable expense, and all this in fact before I had been paid the money due for the gun that had been fired, which according to the contract should have been paid before the gun was subjected to proof.

If the first gun I have mentioned, contrary to my repeated protest, is taken as being one of the trial guns contemplated in the contract, then it must be considered as being one of the guns to be paid for previous to being subjected to the test. I having provided another which has been fired, should have been paid for two, whereas I have been paid but for one. I have never asked for pay for it, except this decision is adhered to, in which case its acceptance as a trial gun deprives me of the chance of having another gun succeed, upon which the balance of the contract for 20 more guns would have been good, and thus enabled me to retrieve my losses in the preliminary experiments; and beside annulling the contract for the additional guns, I am prevented from supplying a large number of guns to the War Department, the prospect of supplying which was the inducement that caused me to expend a large amount of money in preliminary expenses. Besides, I assure you that the failure of the department to pay me these sums of money at the stipulated times has entailed upon me other heavy losses, for I had entered into contract with other parties, which contracts would have resulted greatly to my profit, in which I had agreed, as the principal condition on my part, to pay the identical money I was to receive from the department, and the failure to pay this money at the proper time—a condition I deemed it would be easy for me to fulfill, I had so much confidence in the department—has resulted in great losses to me, and has subjected me to vexatious lawsuits not yet ended.

The report of Captain W. N. Jeffers, dated September 9, 1864, addressed to Captain H. A. Wise, Chief of Ordnance, exhibits two things: first, that I was not paid at that date even

for the gun that had been fired, and the peculiar construction of the contract that makes it necessary that I should state that I have now, and have had nearly a year, a trial gun ready for proof. I quote from the report:

"The board of which I was a member, and which recommended this contract, anticipated from the complexity of the design some difficulty in molding and casting this gun, and therefore agreed to the proposition for a second gun. The first casting was so complete a failure that it was not offered. I am, however, of the opinion that within the intention of the contract two trials have been made; the whole intention of allowing a second trial being to cover the anticipated difficulties in making a casting of such novel form."

In the innocence of my heart, or perhaps through my egotism, I thought I was engaged upon experiments of national importance to determine how to make a gun that could withstand heavy charges when fired rapidly. The test was one I proposed myself, devised to settle that particular question, and was more severe than had ever before been applied to any gun of large caliber.

The zeal with which I entered upon the work is shown in the most practical manner by expenditures, viz: I paid $14,800 while connected with the locomotive company, and previous to completing the first imperfect casting; and the company also suffered considerable loss, beside, which was partially the cause of their failure. I then ceased the works, and expended in the month of October, 1863, $8,575 37; November, $15,257 57; December, $14,855 54; January, 1864, $14,759 97; February, 1864, $18,412 22; making in all during five months and previously, the total, $86,460 94. I am aware the Navy Department has been used to see contractors come to Washington, and, like Oliver Twist, ask for more when they found their contracts unprofitable. I have not imitated that prudent practice; on the contrary, I have waited a long time before asking even for the insignificant sum (compared with my expenditures to earn it) justly due me, and while I have been practicing this modest policy the department came to a decision (which I am now asking you to reverse) averse to my just claim and before I had asked for the money.

I regret, sir, that I must write at such length in order that I may only remind you of a few of the principal points in my favor in this complex case upon which I found my claim.

I have omitted much that I would say on the subject (I hope you will not consider this as threatening more of the same kind) did I not believe that it would not be necessary to present the whole case in order to obtain the decision in my favor I ask for. I present herewith an account of items which I believe to be just and proper to be paid. I beg of you to give it your most favorable consideration.

Respectfully,

NORMAN WIARD.

Hon. GIDEON WELLES,
*Secretary of the Navy, Washington.*

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| The United States, for the use of the Navy Department, to Norman Wiard, | DR. |
|---|---|
| October 3, 1863.—To 43,000 pounds of experimental casting for 15-inch Wiard gun, at the price of 12½ cents per pound | $5,375 00 |
| June 3, 1864.—To 3,962 pounds deducted improperly from the actual weight of the gun that was fired, (called No. 2;) whole weight, 46,962 pounds, of which 43,000 only was paid for; surplus, at 12½ cents per pound | 495 25 |
| To 880 pounds of double proof-shot, at 6 cents per pound | 52 80 |
| August 1, 1864.—To repairs of proving ground | 180 00 |
| To cash expended assembling fragments of the burst gun, one heavy piece having been removed from the bottom of the canal basin where it was buried | 120 00 |
| | 6,223 05 |

SIR: The above account referred to in the communication herewith I believe to be just and proper to be paid according to the true meaning of the contract, and the rules and practice of the Ordnance Bureau in such cases.

The second item is for actual pounds of the weight of the gun which was deducted from my account, and the gun was cast as near to the stipulated weight as is usual in such cases, or possible even in castings which are duplicates from the same patterns.

The third item is for the proof-shot, which it is usual for the department to provide.

The fourth is a proper charge for the same reason, and the fragments, which are claimed as the property of the department, had to be removed, as they were obstructing navigation, and if I had not removed them would have been sold for expenses.

Respectfully,

NORMAN WIARD.

Hon. GIDEON WELLES,
*Secretary of the Navy.*

Referred to Chief of Ordnance to investigate and adjust.

G. WELLES.

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*November* 6, 1865.

In the within paper from Mr. Norman Wiard he presents a new claim not heretofore submitted or decided upon by the Navy Department, and after a careful review of the whole question, the bureau is of the opinion that Mr. Wiard has proved in part his claim to be paid for the first gun, which failed in fabrication, the same as for the second, which burst in proof, viz., 12½ cents per pound for 43,000 pounds.

The contract stipulates that the guns should weigh 43,000 pounds, no more no less; therefore the items for excess of weight should not be allowed; neither should the other charges for collecting fragments of the broken guns, which was done for the contractor's own purposes, nor any repairs of proving ground, nor charges for shot, be considered. At the same time the value, say 1½ cent per pound for the broken guns pertaining to the contract, should be deducted from the amount claimed. The bill would then stand in lieu of the aggregate presented by Mr. Wiard, of $6,223 05, in a total of $4.085.

If this view of the case is sanctioned by the department and accepted by Mr. Wiard, bills will be made and approved for the sum named, viz., $4,085, with the understanding that it is so received by Mr. Wiard in full and final settlement of all his claims of whatever nature against the Navy Department.

H. A. WISE,
*Chief of Bureau.*

I hereby accept the above as a final settlement of all claims against the Navy Department.
NORMAN WIARD.

$4,085.

Bills for the above amount were made and forwarded to Mr. Wiard, payable at New York, November 7, 1865.

BUREAU OF ORDNANCE.

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NAVAL COMMITTEE ROOM, U. S. SENATE,
*June* 25, 1865.

DEAR SIR: By direction of the Senate Committee on Naval Affairs, I herewith inclose a "memorial of Norman Wiard relating to a contract for guns with the Navy Department," and respectfully request that you will furnish the committee with all the facts in your possession bearing upon the subject-matter of said memorial, so that the committee may arive at a full understanding of the application therein made.

I have the honor to be, your obedient servant,

JAMES W. GRIMES,
Per RICH, *Clerk of Committee.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

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MEMORANDUM.

In order to answer the request of the honorable chairman of the Senate Committee on Naval Affairs, to be furnished with all the facts bearing upon the subject-matter of the memorial of Mr. Norman Wiard, relating to a contract for guns with the Navy Department, it will be necessary to make copies of all the correspondence, unless the department should think proper to order the originals to be sent to the committee; and to make the copies it will be necessary to divert the time and clerical force of the bureau from its regular business.

The question of this contract has already been decided in a manner which the bureau deemed just to the government, and Mr. Wiard has furthermore resigned all right to again bring it up, by his written unconditional abandonment of all claims against the Navy Department.

Two of the guns which he claims are still in the New York navy yard, although he has been repeatedly told to take them away.

H. A. WISE,
*Chief of Bureau.*

JULY 6, 1866.

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WASHINGTON CITY, *April* 20, 1867.

SIR: I inclose, attached hereto, a bill for ordnance which has accrued and become due to me, but remains unpaid because of an error in bill and voucher for the half-price of a 15-inch gun, made under a contract between yourself and me, dated 10th of April, 1863. The fourth article stipulates that I shall be paid one-half the value of said gun, (which was to weigh

43,000 pounds,) computed at 25 cents per pound. Whereas I, by error, made out the bill at the rate of 12 cents per pound, on the 3d day of June, 1864; which error, as I fully believe, was not corrected by the ordnance department. I was therefore paid $215 less than was due to me on that account.

According to a late decision of one of the Auditors of the Treasury, it is proper for disbursing officers of the government to correct errors of this kind; and according to late decisions in courts in New York city, an error of this kind, even when confirmed by a receipt in full, does not bar a creditor from collection of an amount justly due and ascertained.

I therefore ask that you will please do me the kindness to direct the proper officer of your department to pay the said sum to me as per the following account, to wit:

Navy Department (for ordnance) to Norman Wiard, DR.

To error in bill and voucher in a charge for one-half price for a 15-inch gun, being equal to one-half cent. per pound for 43,000 pounds, (bill dated June 3, 1864,).... $215

Respectfully,

NORMAN WIARD.

Hon GIDEON WELLES,
*Secretary of the Navy, Washington City.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, April* 22, 1867.

SIR: The bureau has the honor to submit the following statement in reference to the claim of Mr. Norman Wiard, amounting to two hundred and fifteen dollars, ($215,) being one-half cent per pound on 43,000 pounds weight of 15-inch gun accepted for proof, (as per his contract with the department,) viz:

On the 3d of June, 1864, Mr. Wiard presented a bill for one-half payment on 15-inch gun accepted for proof, weighing 46,962 pounds at 12 cents per pound; the bureau refused to pay the excess in weight, and so informed Mr. Wiard, who directed bills to be made for 43,000 pounds, (the weight originally agreed upon as the weight of the gun,) which was done in accordance with his request, and at the price charged by him, viz: 12 cents per pound, bill bearing date of June 27, 1864, and was accepted and receipted by him, (see copy herewith inclosed.)

The bureau has since paid several bills in favor of Mr. Wiard, the last bearing date November 7, 1865, at which time he gave receipt in full of all claims of whatever kind against the Navy Department, a copy of which is also inclosed.

The price agreed upon to be paid for these guns was twenty-five (25) cents per pound, and according to the contract Mr. Wiard is entitled to the half cent per pound on the weight of the first gun; but as the bill was presented by him at 12 cents per pound instead of 12½ cents, and also in consideration of the above-named receipt being in full of all claims of whatever kind against the bureau—it being presumed that Mr. Wiard was fully aware of the manner in which the bill was made, and was included in the acquittance given by him in full—the case is respectfully submitted to the department.

I have the honor to be, with high respect, your obedient servant,

H. A. WISE,
*Chief of Bureau.*

Hon. GIDEON WELLES,
*Secretary of the Navy.*

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BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*Washington City, April* 24, 1867.

SIR: The bureau herewith incloses approved triplicate bills, payable by paymaster in this city, amounting to two hundred and fifteen dollars, ($215,) and for which please acknowledge receipt.

I am, sir, your obedient servant,

H. A. WISE.
*Chief of Bureau.*

Mr. NORMAN WIARD, *Washington City.*

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WASHINGTON, *April* 24, 1867.

SIR: I acknowledge the receipt of your favor of this date inclosing approved triplicate bills payable by the paymaster here, amounting to two hundred and fifteen dollars, ($215.)

Respectfully,

NORMAN WIARD.

Captain H. A. WISE,
*Chief of Bureau of Ordnance, Washington, D. C.*

NAVY DEPARTMENT,
*Washington, April* 26, 1867.

SIR: Your letter of the 22d instant, in relation to the claim of Mr. Norman Wiard, has been received.

As the department cannot take advantage of an oversight of Mr. Wiard in settling his account, and the balance claimed is admitted to have been due, the amount should be paid to him.

I am, respectfully, your obedient servant,

G. WELLES,
*Secretary of the Navy.*

Captain H. A. WISE,
*Chief of Bureau of Ordnance.*

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No. 5.

*Amounts paid Norman Wiard under contracts and accepted orders*, 1861–1867.

*For 50-pounder semi-steel guns.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

October 21, 1861.—For 1 steel gun, shot, &c., (as per invoice,).... ..... $6,329 31

[In triplicate.]

BUREAU OF ORDNANCE AND HYDROGRAPHY,
*October* 31, 1861.

Approved for sixty-three hundred and twenty-nine dollars and thirty-one cents, payable by the navy agent at New York.

AND. A. HARWOOD,
*Chief of the Bureau.*

For the payment of this bill the bureau issued a requisition on the Treasury Departmen t dated November 9, 1861.

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*For 50-pounder semi-steel guns.*

[Invoice.]

NEW YORK, *October* 21, 1861.

| United States Navy Department to Norman Wiard, | DR. |
|---|---|
| To one 5.1-inch steel gun, 5,754 pounds at 85 cents | $4,890 90 |
| To 124 solid Hotchkiss shot and boxes | 444 85 |
| To 100 hollow Hotchkiss shot and boxes | 368 75 |
| To cartage on pendulum, lumber, implements, and shot | 78 00 |
| To freight paid Harlem railroad on shot | 24 17 |
| To labor erecting pendulum and butt | 92 61 |
| To amount paid laborers and gunners during firing | 111 00 |
| To timber for butt | 34 50 |
| To use of furnace recasting lead upon shot | 5 00 |
| To hinges, locks, and nails for magazine | 3 50 |
| To amount paid boatmen for moving powder down | 17 50 |
| To amount paid boatmen for moving powder back | 5 00 |
| To amount paid two watchmen | 26 00 |
| To timber and lumber for pendulum and magazine | 86 12 |
| To labor on lumber for pendulum and magazine | 80 90 |
| To rope for snubbing gun | 9 00 |
| To castings for pendulum | 21 56 |
| To wrought iron and forging for pendulum | 103 15 |
| | 6,402 51 |
| Credit by broken shot and lead sold | 73 20 |
| | 6,329 31 |

NEW YORK, *October* 29, 1861.

I certify that the shot and shells, pendulum, labor, butt, magazine, and other fixtures for proving the semi-steel gun made by N. Wiard, were furnished by him.

R. B. HITCHCOCK,
*Inspector of Ordnance, U. S. Navy.*

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*For 50-pounder semi-steel guns.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

February 25, 1862.—For bouching five 50-pounder semi-steel guns, and five 12-pounder howitzers, &c., (as per certificate.)..... $669 50

[In triplicate.]

BUREAU OF ORDNANCE AND HYDROGRAPHY,
*March* 1, 1862.

Approved for six hundred and sixty-nine dollars and fifty cents, payable by the navy agent at Washington.

AND. A. HARWOOD,
*Chief of the Bureau.*

For the payment of this bill the bureau issued a requisition dated March 13, 1862.

---

*For 50-pounder semi-steel guns.*

[Invoice.]

NEW YORK, *February* 25, 1862.

United States Navy Department to Norman Wiard, DR.

| | |
|---|---|
| December 10, 1861.—To bouching six 5.1-inch guns with steel, copper, and platina, at $50 | $300 00 |
| To bouching five 3.4-inch guns (boat howitzers) with steel and copper, at $25 | 125 00 |
| To transportation of powder from magazine on Ellis's island to magazine on Staten island for proving guns | 10 00 |
| To rigging, purchased and used as snubbing rope, &c., for proving guns | 21 50 |
| To cartage on projectiles from railroad depot to Staten island, two loads | 8 00 |
| To freight paid Adams express on four boxes trunnions for 5.1-inch guns | 60 00 |
| To paid gunners and laborers for services proving guns, 62 days at $1 25 | 77 50 |
| To paid watchmen in charge of magazine, 45 days and nights at $1 50 | 67 50 |
| | 669 50 |

I certify that the items in the above bill were furnished by Mr. Wiard, and used for the proof-firing and fitting of five 50-pounder semi-steel guns, and five 12-pounder howitzers on Staten island.

R. B. HITCHCOCK,
*Inspector of Ordnance, U. S. Navy.*

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*For labor on 7½-inch rifles.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

| | |
|---|---|
| May 24, 1862.—For labor on seven 7½-inch rifles | $5,250 00 |
| For cartage of skids, &c., (as per certificate.) | 20 00 |
| | 5,270 00 |

[In triplicate.]

BUREAU OF ORDNANCE AND HYDROGRAPHY,
*May* 24, 1862.

Approved for five thousand two hundred and seventy dollars, payable by the navy agent at Washington.

AND. A. HARWOOD,
*Chief of the Bureau.*

For the payment of this bill the bureau issued a requisition dated May 26, 1862.

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*For labor on 7½-inch rifles.*

[Invoice.]

NO. 136 EAST THIRTY-THIRD STREET,
*New York, May* 24, 1862.

| Bureau of Ordnance and Hydrography, Navy Department, to Norman Wiard, | DR. |
|---|---|
| For labor on 7 7½-inch rifles from blocks, at $750 | $5,250 |
| To cash paid for cartage of skids and tackle, and for labor expended in loading three of above guns on vessel, as directed | 20 |
| | 5,270 |

See letter of Captain Hitchcock of May 17.

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*For howitzer carriages.*

| United States Navy Department to Norman Wiard, | DR. |
|---|---|
| Bureau of Ordnance and Hydrography. [Appropriation—Ordnance.] | |
| July 5, 1862.—7 32-pounder gun carriages with lignum vitæ trucks, at $125 | $875 |
| 19 32-pounder gun carriages with oak trucks, at $111 | 2,109 |
| | 2,984 |

Having examined the above articles, I certify that they are of good quality, and conformble to contract dated September 9, 1861.
Received the above articles for ordnance.

W. G. TEMPLE,
*Lieutenant in Charge of Ordnance.*

NAVY YARD, NEW YORK, *July* 5, 1862.

This bill is approved for the sum of $2,984.

H. PAULDING, *Commandant.*

Approved July 8, 1862.

AND. A. HARWOOD,
*Chief of the Bureau.*

For the payment of this bill the bureau issued a requisition dated July 21, 1862.

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*For 12-pounder semi-steel howitzers.*

| United States Navy Department to Norman Wiard, | DR. |
|---|---|
| October 3, 1862.—For 5 semi-steel boat howitzers, weighing 3,914 pounds, at 55 cents per pound | $2,152 70 |

[In triplicate.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*October* 3, 1862.

Approved for $2,152 70, payable by navy agent at Washington, D. C.

J. A. DAHLGREN,
*Chief of the Bureau.*

For the payment of this bill the bureau issued a requisition dated October 13, 1862

*For 15-inch guns.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

June 27, 1864.—To advance payment on 1 15-inch gun, accepted for proof, 43,000 pounds, at 12 cents per pound, as per contract with Navy Department ..... $5,160

[In triplicate.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*June* 27, 1864.

Approved for $5,160, payable by navy agent at Washington city.

JOHN LENTHALL,
*For Chief of Bureau.*

For the payment of this bill the bureau issued a requisition dated August 18, 1864.

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*For 12-pounder howitzers.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

| | |
|---|---|
| August 30, 1864.—For 12 12-pounder howitzer field carriages, at $360..... | $4,320 00 |
| Cr., by 24 ammunition boxes returned, at $4 15 each..... | 99 60 |
| | 4,220 40 |

Delivered at Philadelphia as per receipt from ordnance officer.

[In triplicate.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*November* 4, 1864.

Approved for $4,220 40, payable by navy agent at New York.

H. A. WISE,
*Chief of the Bureau.*

For the payment of this bill the bureau issued a requisition dated November 12, 1864.

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*For howitzer carriages.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

| | |
|---|---|
| September 23, 1864.—For 11 12-pounder howitzer field carriages, at $360..... | $3,960 |
| For 13 12-pounder howitzer boat carriages, at $250..... | 3,250 |
| | 7,210 |

Delivered in New York as per receipt from ordnance officer.

[In triplicate.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*October* 15, 1864.

Approved for $7,210, payable by navy agent at New York.

H. A. WISE,
*Chief of the Bureau.*

For the payment of this bill the bureau issued a requisition dated October 24, 1864.

### *For miscellaneous articles.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

| | |
|---|---|
| January 16, 1865.—For 59 primer boxes, 59 waist belts, at $1 05 | $61 95 |
| For 23 boring bits, at 25 cents each | 5 75 |
| For 11 powder funnels, at 50 cents each | 5 50 |
| For 11 powder measures, at 89 cents each | 9 79 |
| For 23 fuse mallets, at 25 cents each | 5 75 |
| For 11 fuse extractors, at 50 cents each | 5 50 |
| For 11 fuse cutters, at 25 cents each | 2 75 |
| For 22 priming wires, at 25 cents each | 5 50 |
| For 61 12-pounder rifle passing boxes, at $2 50 each | 152 50 |
| For 52 12-pounder smooth passing boxes, at $2 50 each | 130 00 |
| For 35 haversacks, at $2, 6 drag ropes, at $1 | 76 00 |
| For 18 train tackles, at $6 each | 108 00 |
| For 1 sliding carriage, $200; 1 field carriage, $300 | 500 00 |
| | 1,068 99 |

Delivered at New York as per receipt from ordnance officer.

[In triplicate.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*June* 13, 1865.

Approved for $1,068 99, payable by navy agent at New York.

R. AULICK,
*For Chief of Bureau.*

For the payment of this bill the bureau issued a requisition dated June 19, 1865.

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### *For 15-inch guns.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

| | |
|---|---|
| November 7, 1865.—For one-half the value of the first 15-inch gun cast under contract with the Navy Department dated April 10, 1863, viz: 43,000 pounds, at 12½ cents per pound | $5,375 |
| Cr., by the value of fragments of first and second 15-inch guns, weighing 86,000 pounds, at 1½ cent | 1,290 |
| | 4,085 |

As per agreement dated November 6, 1865, filed with Bureau of Ordnance.

[In triplicate.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*November* 7, 1865.

Approved for $4,085, payable by paymaster at New York.

H. A. WISE,
*Chief of Bureau.*

For the payment of above bill the bureau issued a requisition dated November 11, 1865.
The following receipt accompanied this bill:

"Received from Bureau of Ordnance, Navy Department, approved triplicate bills, payable by paymaster at New York, for $4,085, being payment in full of *all claims* against the Navy Department.

"NORMAN WIARD.

"NOVEMBER 7, 1865."

*For 15-inch guns.*

United States Navy Department to Norman Wiard, DR.

[Appropriation—Ordnance.]

April 24, 1867.—To one-half cent per pound, on 43,000 pounds, (weight of 15-inch gun,) being error in bill of June 27, 1864, charged at 12 cents instead of 12½ cents per pound ..... $215 00

By direction of Navy Department.

[In triplicate.]

BUREAU OF ORDNANCE, NAVY DEPARTMENT,
*April* 24, 1867.

Approved for $215, payable by paymaster at Washington city.

H. A. WISE,
*Chief of Bureau.*

For payment of above bill the bureau issued a requisition dated April 26, 1867.

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*Summary of bills paid Mr. Wiard by Bureau of Ordnance, Navy Department.*

| | | |
|---|---|---|
| 1861. | | |
| October 21. | One gun, 50-pounder, steel | $6,329 31 |
| 1862. | | |
| March 1. | Bouching guns | 669 50 |
| May 24. | Finishing seven 7½-inch rifles | 5,270 00 |
| July 5. | Gun carriages | 2,984 00 |
| October 3. | Five semi-steel howitzers | 2,152 70 |
| 1864. | | |
| June 27. | 15-inch gun, (burst in proof) | 5,160 00 |
| November 4. | Howitzer carriages | 4,220 40 |
| October 15. | Howitzer carriages | 7,210 00 |
| 1865. | | |
| June 13. | Ordnance appliances | 1,068 99 |
| November 7. | 15-inch gun, (first cast) | 4,085 00 |
| 1867. | | |
| April 24. | Balance on 15-inch gun | 215 00 |
| | | 39,365 00 |

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